

Proposal Name:

Kirkland Park and Ride

Proposal Address:

10800 NE 38th Street

Proposal Description:

Applications for an Administrative Amendment, a Critical Areas Land Use Permit and Design Review approval for a 3 ¼-story parking structure (534 stalls) on 3.8 acres, R-15 land use

district with a critical slope setback modification.

File Number:

12-104625-LD, Design Review

12-104621 LI, Administrative Amendment 12-104624-LO, Critical Areas Land Use Permit

Applicant:

Kirkland Park and Ride, LLC

Decisions Included:

Design Review, Administrative Amendment, and Critical Area Land Use Permit are LUC Process II decisions.

Antoinette Pratt and Sally Nichols

Threshold Determination:

State Environmental Policy Act

(SEPA):

Planners:

Determination of Non-Significance Issued April 2,

2012, by King County Metro.

Director's Decision:

Approval with Conditions

Michael A. Brennan, Director

Development Services Department

By: Cane 1/4 telland Carol V. Helland, Land Use Director

Application Dates:

January 31, 2012

Public Notice Sign:

January 31, 2012

Public Meeting:

February 2, 2012

Completeness Date:

February 2, 2012

Notice of Decision Date:

April 19, 2012

Administrative Amendment Appeal Deadline:

May 3, 2012

Design Review Appeal Deadline:

May 3, 2012

Critical Areas Land Use Permit Appeal Deadline:

May 3, 2012

For information on how to appeal a proposal, visit Development Services at City Hall or call (425) 452-4570. Appeal of the Process II decision must be made by 5:00 p.m. on the date noted for appeal of the decision.

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I. REQUEST and REVIEW PROCESS

A. Request

The applicant is requesting approval of a Design Review, Administrative Amendment to a previously approved Conditional Use, and a Critical Areas Land Use Permit for proposed revisions to King County Metro's existing South Kirkland Park and Ride (SKPR) facility. The improvements include construction of a 3 1/4-story parking garage with 158,364 gross square feet and 534 parking stalls, revisions to the existing surface parking lot including re-striping and new landscaping, and construction of a new gateway including roadway and street frontage upgrades and a gateway plaza. The review of the garage structure will also include a request to allow construction within a critical steep slope and to modify the required 75-foot toe-of-slope structure setback to 0-feet.

The proposal is part of a larger transit-oriented development that is planned for the SKPR site. Additional improvements, including a mixed-use housing development, will be on the part of the site that is within the City of Kirkland (refer to Section II below). Only those improvements that are located within the City of Bellevue will be reviewed under the permits listed above. Any improvements that occur within the Kirkland jurisdictional boundary will be reviewed and approved by the City of Kirkland.

The proposed development is defined as an Essential Public Facility (EPF). RCW (Revised Code of Washington) 36.70A.200 classifies a regional transportation facility as an essential public facility which the LUC formally accepts per LUC 20.50.018, Definitions. As an EPF, transportation facilities, such as the SKPR, may be allowed in a critical area, critical area buffer or critical area structure setback. Applications for EPF's must still include analysis of critical area to be disturbed along with necessary mitigation for such encroachments. In addition, the applicant is allowed to request additional structure height needed to accommodate effective functioning of the garage. The applicant has provided analysis for any code modifications with this proposal. Refer to discussion in Section VIII.B regarding Essential Public Facilities.

The use of this transportation facility within a residential land use district was originally allowed with a Conditional Use approval. Any revision to the original Conditional Use is required to obtain approval through an Administrative Amendment process. Design Review approval is required because this development site is within the Single-Family Transition Area Design District. Design Review approval is also a condition of City of Bellevue Ordinance 4857, which allowed the 1996 rezone of this property from R-1 to R-15. Although development of an essential public facility is allowed per LUC 20.25H.055, a Critical Areas Land Use Permit (LUC 20.25H.230) is still required to modify critical slopes and required structure setbacks. The City's procedures and criteria for any decision to develop, disturb or otherwise modify a critical area or critical area setback are contained in the Land Use Code Section 20.30P.

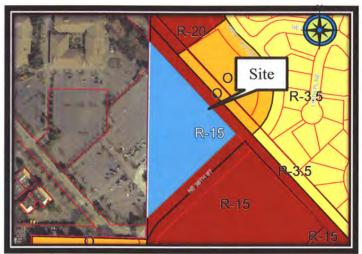
B. Review Process

This proposal will involve a combined review and approval of a Design Review, Critical Areas Land Use Permit, and Administrative Amendment to a previously approved Conditional Use. All three are Process II administrative decisions by the Director of Development Services. Appeals of the Process II administrative decisions are heard and decided by the Hearing Examiner. SEPA review of the entire transit-oriented development, including the pieces within the City of Bellevue, was performed by King County Metro. Refer to Section VI of this report regarding SEPA review.

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II. SITE CONTEXT and DESCRIPTION

A. Site Context

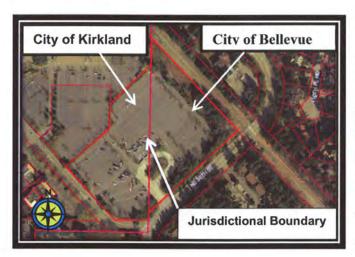


The SKPR is split between two jurisdictions: the City of Kirkland and City of Bellevue. See aerial below. This parcel was created in 1978 as part of a short plat (Lot D, SP 78-8-1) which was processed in the City of Kirkland. King County Metro has operated this park and ride facility at this location since 1979. The site contains 603 surface parking stalls.

The SKPR is a nonresidential use located within a residential district. The R-15 zoned site is located within the North Bellevue Subarea. The site is bordered to the north by the Burlington Northern railroad easement, to the south by NE 38th Place, to the east by NE 38th Street (108th Avenue NE)(1) and to the west by commercially developed properties (Paccar). The parking garage will be located wholly within the City of Bellevue's jurisdictional boundaries. Access to the site exists from 108th Avenue NE in the City of Bellevue and from NE 38th Place which is located in the City of Kirkland. The site is located within a Transition Area from multifamily uses to the south (Yarrow Bay Condominiums).

Site vicinity and zoning maps are provided in Attachment A.

B. Site Description



The site is 3.8 acres, or 168,147 square feet. Site topography descends to the west with approximately 26 feet of elevational change across the site. Critical areas exist on this site as identified by the geotechanical report prepared by Earth Solutions NW, LLC dated January 23, 2012. In its report, Earth Solutions NW identified the north and east slopes of the site as geohazards or 40 percent slopes. Slopes are approximately 40 feet in height. See

¹ For the purposes of this report, NE 38th Street is synonymous with 108th Avenue NE. The City's internal addressing system formally uses NE 38th Street.

file for complete report. These slopes contain vegetation that is comprised of indigenous trees and understory materials. See Sections III.A.2 and III.C for further discussion regarding the critical slopes and landscaping.

The proposed parking structure will generally be hidden by the vegetated slope that obstructs views occurring from the south (Yarrow Bay Condominiums). There are public sidewalks along each street frontage, NE 38th Place and 108th Avenue NE. The Transportation Department will require that the 108th Avenue NE sidewalk be expanded from six feet to eight feet with this application. See Section V.C for additional transportation improvements and comments.

III. CONSISTENCY WITH LAND USE CODE/ ZONING REQUIREMENTS

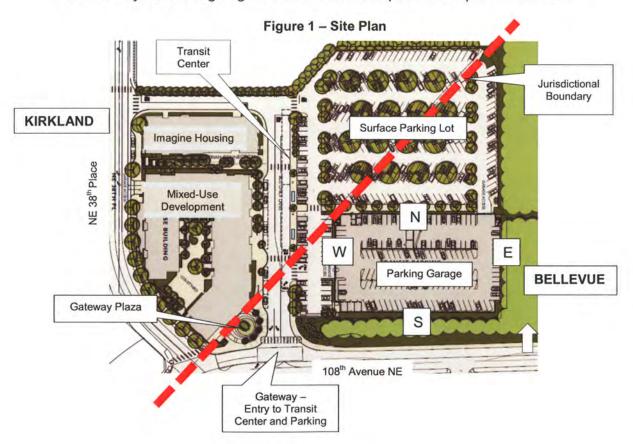
A. General Provisions of the Land Use Code

1. Proposed Use

The proposed structure will expand the current park and ride facility, which is needed due to recent changes to SR-520, including on-going construction and the implementation of tolling. King County Metro desires to increase the number of parking stalls from 603 to 853 stalls (includes both surface and parking garage). This design change is permitted through an Administrative Amendment to the previous Conditional Use that originally approved the park and ride on this site. The other required land use approvals include Design Review and a Critical Areas Land Use Permit.

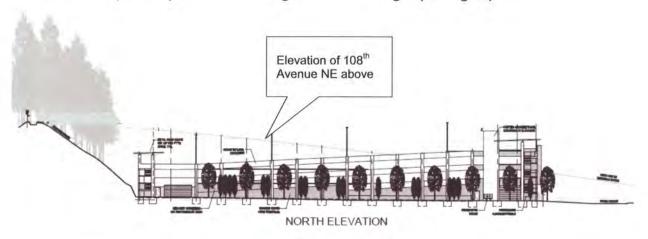
2. Proposed Site Design

Note that for the purposes of this report, Figure 1 – Site Plan below will be referenced. Although true north is at a 45-degree angle, the property line at the top of the plan will be referred to as north and 108th Avenue NE will be south. Elevations of each façade of the garage are also referenced per the site plan orientation.



As described in Section II above, the SKPR site lies in both Kirkland and Bellevue. The location of the proposed garage, in the southeastern corner of the site, was chosen so that the entire garage structure would lie within the City of Bellevue. By placing the garage in an east-west direction along 108th Avenue NE, the garage will be partially hidden since it will sit below the street and the steep slopes. Additionally, it will be screened with existing and proposed vegetation on the steep slopes, which includes many mature trees. The existing surface parking lot in the northwestern corner of the site, which straddles both jurisdictions, will remain and be used during garage construction.

<u>Elevation – North Façade</u> (with slope behind and vegetative screening in parking lot)



Circulation:

- a. Vehicular: Buses and commuter vehicles will access the site via both 108th Avenue NE as well as NE 38th Place. Buses will circulate in a one-way loop through the site from the entry on 108th Avenue NE and will exit onto NE 38th Place. The transit center road will lie between the mixed-use development and the new garage and it will be referred to as the transit center roadway in this report. Cars may enter and exit the site at both site access points and will be directed into the surface parking or garage parking areas. Restriping of the surface lot will include traffic-calming one-way drive aisles.
- b. Pedestrian: Improved public sidewalks will be provided on both NE 38th Place and 108th Avenue NE. Along 108th Avenue NE, the existing sidewalk will be widened from six feet to eight feet along the entire length of the roadway. Pedestrians will exit the parking garage from the southwest corner. A walkway will cross the surface lot and deliver pedestrians directly to the transit center bays. Three crosswalks (including one at the gateway intersection) will be provided across the transit center roadway to encourage safe movement of pedestrians between the parking areas and the retails spaces and gateway plaza associated with the mixed-use development.

Gateway Plaza:

The mixed use development lies within the Yarrow Bay Business District 1 (YBD1) in the City of Kirkland. Although the plaza will be in the City of Bellevue, because it is directly adjacent to the mixed-use housing building, it was designed to comply with both the City of Bellevue Land Use Code (including the Transition Area

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development standards and guidelines) and Kirkland's Design Guidelines for YBD1. According to the Guidelines, a gateway at the intersection of 108th Avenue NE and NE 38th Place is a required element that should be a highly visible with a pedestrian friendly and welcoming public space. The gateway should also create a focal point at the intersection of NE 38th Place and 108th Avenue NE and be integrated with the mixed use building.





The applicant is proposing an overall gateway design that consists of a plaza at the western corner of the 108th Avenue NE and transit center roadway intersection and a complementary landscape treatment on the opposite eastern corner by the garage. The plaza will be adjacent to ground-floor retail uses in the mixed-use development.

The gateway plaza will have a circular form that can be accessed by pedestrians from the mix-use development as well as from a wide public sidewalk. A pedestrian can choose to move around the gateway on the street-side sidewalk, pass through the gateway, or slip behind the gateway along the building façade. The focal point

will be a specimen tree in the center planter with seating around the tree. A circular pattern of planters, scored and colored concrete, and columnar "sentinel" trees further reinforce the shape of the space. This landscape treatment, particularly the columnar trees, will be mirrored on the opposite corner (refer to gateway site plan below), further reinforcing the overall gateway concept. Although five of the proposed gateway trees and associated landscaping fall within the City of Bellevue right-of-way, the applicant will be responsible the maintenance of all landscaping within the right-of-way along 108th Avenue NE. In addition, the sidewalk at both corners will be widened to approximately ten-feet to encourage pedestrian circulation. A crosswalk will allow for pedestrian movement between the parking areas/transit center and the plaza, retail spaces and the mixed-use development across the transit center roadway. Refer to Condition of Approval regarding the final landscape plan and maintenance of landscape in the right-of-way in Section X of this report.



Landscaping/Parking Lot Design:

The existing surface parking lot to the north of the parking garage will remain in place. However, it will be restriped and new landscaping will be placed within and around the parking area. Although the parking lot falls within two jurisdictions, the landscape design addresses the requirements of both, including the provision of trees in the interior of the lot and landscaping at the ends of the parking aisles. Refer to parking lot landscape requirements in Section III.4 of this report regarding how the City of Bellevue's landscape requirements were met.

916 diameter inches of existing trees out of a total of 1550 diameter inches of existing trees will be removed for this proposal. The majority of the trees to be removed are within the existing surface parking areas in the location of the footprint of the proposed garage. A planting plan with new trees throughout the reconfigured surface parking lot and around the new garage has been proposed. Refer to landscape requirements in Section III.4 of this report.

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The applicant has also proposed to remove six existing Pin Oak trees in the location of the new gateway plaza and the adjacent right-of-way. These trees were planted by the City of Bellevue as part of a Capital Improvement Project (CIP). The applicant provided a valuation of these trees and it is included in the arborist's report, prepared by Robert W. Williams, Certified Arborist and dated March 5, 2012, in the project file. The value of these trees was determined to be \$28,500. The City will need to be compensated for the loss of these trees either by direct payment or additional landscape plantings on site. Refer to Condition of Approval regarding the six Pin Oak Trees in Section X of this report.

Critical Area Landscaping:

Because the south and east walls and foundation of the proposed parking garage will be within the steep slope critical area, the applicant will be required to prepare a mitigation plan for disturbance of those slopes. To help inform this mitigation plan, the applicant submitted an arborist's report (referenced above). 175 trees were evaluated and the report concluded that 12 trees were deemed to be hazard trees and should be removed. This report also made recommendations for tree species to be included in any mitigation plan. The applicant will be required to submit a mitigation plan based on the arborist's report for review under the clearing and grading permit. Refer to Condition of Approval regarding the steep slope critical area mitigation plan in Section X of this report.

3. Proposed Building Design

As discussed above, the proposed 3 1/4 - story garage building sits on the Bellevue portion of the park and ride, with steep slopes along the east and north elevations. Within the building, there will be parking for 534 cars (288 standard stalls and 246 compact stalls) and 30 bicycles. Overall, the entire building is a concrete, cast-in-place structure, with columns 18-feet on center. The columns are further expressed by recessed lateral concrete bracing panels (spandrels) which also serve as guardrails. However, additional architectural detailing will be placed on the north and west elevations since they will be the public faces of the building across from the mixed-use development to the west and the surface parking area to the north.

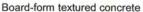


North and West Facades:

These two facades are punctuated at the northwest corner with the stair and elevator tower. The main vehicular entry to the garage is in the middle of the west façade and the secondary entry is at the eastern end of the northern façade. The main pedestrian entry/exit from the garage is via the stair and elevator tower, where a canopy will provide weather protection for pedestrians at this point.

At the ground level, these two facades will have enhanced architectural detailing through the use of horizontal board-form textured concrete at the building base, black security screening at the garage openings, and a landscaping between the building and the sidewalk.







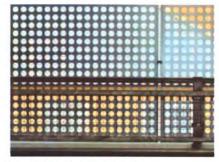
Board-form texture detail



Cast-in-place architectural concrete

Architectural screening on the building will be an interplay of two layers of perforated aluminum panels – each with a different density of perforation to create additional modulation and interest. The applicant submitted three options for the screening at this location, with the third (see attached project plans) being the preferred option. Both the Kirkland Design Review Board and the City of Bellevue also prefer this option and the discussion below relates to this design.

The design concept behind the use of these screens is to reference the Silver screens of the historic Bel-Kirk and Eastside drive-in theaters (one of which originally existed on the SKPR site). The panel with a lower density of perforation will be mounted into the garage bay openings along the west façade. This will screen cars and headlights that face the mixed-use building. Panels with a higher density of perforation will then be mounted on the exterior. This screening will then be carried over to the stair



Perforated aluminum panel



Perforated aluminum panel screen



Detail of perforated aluminum panel

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tower, where the panels will wrap the tower in a way that references the tower elements of the mixed-use building across the transit corridor. This screening, while open in some locations to express the verticality of the tower, will also provide some measure of weather protection for the garage users.

The stair tower element is the primary building entry point for pedestrians using the garage. At the primary building entry, there will be a metal and glass canopy to provide weather protection. The tower itself will be further punctuated with a sloped roof that will have an accent colored soffit. The color (proposed as a copper red) will then also be used in the vertical fin/blade sign marking the entrance to the garage and reinforcing the vertical elements found at the tower. The elevator column/tower will complete the architectural composition at the corner by provided an additional accent color (dark grey/black) painted on the concrete surface. All of the colors used throughout the garage, including those on the tower elements, will relate to colors proposed for the mix-use development.





Detail at the Top of the Stair Tower

North and East Facades:

Because the garage is set into the existing steep slopes and the majority of the top level of the garage will be lower than the elevation of the roadway on 108th Avenue NE, these two elevations will not be required to have any additional architectural

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screening other than the black security screening at the ground level. Additional plantings on the slopes with native trees and shrubs will enhance the screening provided by the mature vegetation and will help soften the visual impact of the garage to vehicles and pedestrians on 108th Avenue NE.

Garage Roof:

The open, upper levels of the garage will consist of a top quarter level, P-4, and the rest of level P-3. To reduce light impacts to the site and adjacent neighborhoods, the applicant will employ full cut-off LED luminaries, daylight sensors, illumination modeling, a 16-foot pole height, and use of a reduced wattage. Required lighting fixtures will have cut-off shields, will be night sky compliant and will sit below the roadway and/or be screened with trees on the steep slope.

4. Land Use Code Requirements & Proposal

As conditioned, the proposed project meets all dimensional requirements of the Land Use Code for the R-15 zoning district. Refer to Table 1 below for more information.

TABLE 1
REQUIRED DIMENSIONS/AREAS of the R-15 ZONE

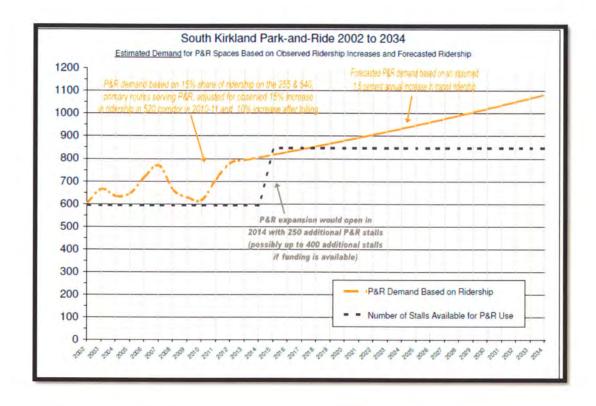
ITEM	PERMITTED/REQUIRED	PROPOSED	
MINIMUM LOT SIZE (LUC 20.20.010)	8,500 square feet	3.8 acres or 168,147 square feet	
BUILDING HEIGHT (LUC 20.20.010,20.20.350)	30 feet	41 feet(2)	
LOT COVERAGE BY STRUCTURE (LUC 20.20.010)	35%	29%	
MAXIMUM IMPERVIOUS SURFACE AREA (LUC 20.20.010)	80 %	64%	
BLDG. SETBACKS - Front (NE 38 th Street) - Rear (From Paccar) - Side (BNRR Easement) (LUC 20.20.010)	20 feet 25 Feet 5 Feet	25'-6" Feet 289'-3" Feet 80 feet	
PARKING STALLS (LUC 20.20.590.F.2)	Unspecified Use	There will be a net increase of 250 parking stalls—up from 603 to a total of 853 parking stalls that will be dispersed between the surface and parking garage.	

² The applicant has requested additional height for the elevator tower. As an Essential Public Facility, building height may be increased per LUC 20.20.350.C.5.A to the "minimum necessary for the effective functioning of the EPF." See Section VIII.B for further discussion regarding the EPF decision criteria.

ITEM	PERMITTED/REQUIRED	PROPOSED
SITE LANDSCAPING Parking Lot:	* 35 SF per stall 320 x 35 = 11,200 SF * Landscape area at the end of each aisle min. 4 feet wide and length of stall * Landscape areas must be min. 100 SF	* 11,574 SF * Landscape areas are placed at the end of each aisle with 2 trees & min. 4' wide and length of stall * Interior landscape areas are approx. 42 SF. Requires Alternative Landscape Option (ALO). Refer to discussion in Section III.A.4.b below.
SITE LANDSCAPING Perimeter Landscaping	* Street Frontage: 10 feet Type III * Interior Property Lines: 8 feet	10-feet of landscaping is provided behind the required sidewalk along 108 th Avenue NE. 8 feet along the northern property
TREE RETENTION	* Transition: All trees within 15 of Property Line * 15% of diameter inches of interior significant trees	line. Meets the requirement. Transition: 3 Pin Oaks will be removed in the location of the new gateway plaza. Refer to discussion regarding Alternative Tree Retention Option in Section III.A.4.c below. 916 of 1550 diameter inches of interior trees will be retained = 59%
REFUSE & RECYCLING AREA (LUC 20.20.725)	The proposed use will result in a small increase in refuse and recyclable materials.	No trash enclosures have been proposed for this development. Refer to Condition of Approval regarding refuse & recycling collection facilities in Section X of this report.

a. Parking Analysis

Metro has graphically depicted an estimated 20-year demand for the South Kirkland Park and Ride. This demand projection is based on growth in transit ridership in the SR 520 corridor. They have found that the SKPR consistently captures about 15 percent of riders on buses that serve the S Kirkland lot, primarily the 255 and 540. The projection assumes that that ratio remains constant.



With the 15% increase in ridership in the SR 520 corridor in 2010-11, preliminary observations show an additional 10% increase in ridership on top of the 15% shown in Metro's graph above in the SR 520 corridor as a result of tolling. Those increases are shown in the graph (after the drop from the recession). After those increases, Metro assumed a steady 1.5 percent annual increase in ridership (from Metro's information technology staff).

TABLE 2 Proposed Parking Garage

GARAGE LEVELS	COMPACT	STANDARD	ACCESSIBLE	TOTAL
G1	71	82	0	153
G2	83 81 11	88 90 28	0 0 0	171 171 39
G3				
G4				
GARAGE TOTAL	246	288	0	534
SURFACE STALLS	36	110	4	150
TOTAL PARKING	282	398	4	684

Interim Parking Plan: During the construction phase of this proposal, the applicant will temporarily lose 278 surface parking stalls during phase IIB (Sheet A1.10-C). To compensate for this loss during construction, the applicant has discussed securing off-site parking stalls at nearby locations such as religious and school sites. Bus service would be re-routed accordingly by Metro. Prior to the issuance of a clearing & grading permit, the applicant must enter into temporary parking agreements with these entities to ensure an adequate amount of parking stalls are available to the public while construction occurs. Refer to Condition of Approval regarding interim parking arrangements in Section X of this report.

b. Alternative Landscape Option - Parking Lot

Because the revised parking lot straddles two different jurisdictions with two different sets of code requirements for parking lot landscaping, the applicant has requested an alternative landscape option to the City of Bellevue requirement that requires interior landscaping areas be a minimum of 100 square feet. It is deemed preferable to have one cohesive overall planting design rather than designing the landscaping for two different sets of requirements. The resulting plan has approximately 300 square feet more of parking lot landscape than would be required by Bellevue's code, and will result in a superior landscape plan with trees placed throughout the surface lot and along the parking garage. The landscaping areas at the ends of the aisles will also be larger than areas required by the City of Bellevue. Although the interior islands will be less than 100 square feet, each will include a tree and additional shrubs and/or groundcover. The overall coverage of the parking lot will also help to reduce the overall heat island effect.

c. Alternative Tree Retention Option

The applicant proposes to retain all healthy, significant trees along the 108th Avenue NE street frontage except for three Pin Oaks in the location of the proposed gateway plaza. These three Pin Oaks are in addition to the three Pin Oaks in the right-of-way as discussed in Section III.A.2 under site design. In this location, the required street frontage improvements (including an enlarged public sidewalk) and new plaza have to be elevated to meet grades at the ground floor of the proposed mixed-use building. Thus, the design and usefulness of this plaza as a pedestrian open space would have been greatly compromised if the Pin Oaks were retained. Overall upgrades to the streetscape and planting of new trees in the project interior and in the gateway will result in a superior landscape and pedestrian amenity in this location.

Refer to discussion of the three additional Pin Oaks in the right-of-way under site design in Section III.A.2 and Condition of Approval regarding the six Pin Oaks in Section X of this report.

B. Transition Area Requirements

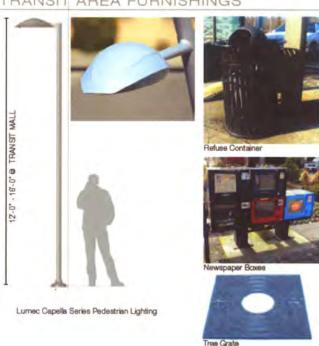
The site is located in the R-15 multi-family zoning district. Because it is located within 300 feet of existing single-family land use districts to the northeast, the site falls within the Single-Family Transition Area Design District. However, no portion of the site is directly adjacent to a single family neighborhood. The proposal is subject the standards and design guidelines of the Transition Area as outlined below.

1. Transition Area Development Standards - LUC 20.25B.040

- a. Building Height: The applicant has proposed a building that is eleven feet taller than the standard height requirement for a building in the R-15 land use district in a transition area. The majority of the building conforms to the 30-foot height requirement. It has been determined that additional 11-feet requested in this application will not have a negative impact on the single-family homes up the hill to the northwest or on the multi-family homes directly across from the park and ride on 108th Avenue NE. The garage will be screened by the steep slopes and the existing and proposed trees on the slope. Refer to chart in Section III.A above and discussion regarding EPF's in Section VIII.B.
- b. Setbacks: Meets requirements. Refer to chart in Section III.A of this report.
- c. Landscaping: Meets requirements. Refer to chart and discussion of the alternative landscaping option and alternative tree retention option in Section III.A.4 of this report.
- d. Site Design Standards: The northern portion of the existing surface parking lot will remain in its current location, approximately 200 feet away from 108th Avenue NE with the new garage in-between. New landscaping throughout the parking lot will provide additional screening.

Standard King County Metro street furnishings, including newspaper boxes and refuse containers, will be designed into the proposal as well as in the transit center. They will be painted to harmonize with features found elsewhere in the development. The new light fixtures and standards proposed around the garage (see photo below) at the ground level will be used throughout the entire transit-oriented development in both Kirkland and Bellevue. The existing light fixtures in the surface lot will be reused in this location.

TRANSIT AREA FURNISHINGS



- Mechanical Equipment: No exposed mechanical equipment is proposed for the new garage.
- f. Refuse Containers: Garbage will be picked up by Allied Waste. No garbage enclosures are proposed for this development. <u>Refer to</u> <u>Condition of Approval regarding garbage pick-up and enclosures in</u> <u>Section X of this report.</u>
- g. Signs: The applicant proposes to use a vertical sign at the vehicular entry to the parking garage, as well as signage on the building to identify it as a King County Metro parking garage. The sign will be in the same color palette as the soffit of the stair tower for added visibility and architectural interest. The applicant will be required to submit a sign package for review and each individual sign will require review under a sign permit. Refer to Condition of Approval regarding a sign permit package and individual sign permits in Section X of this report.

2. Transition Area Design Guidelines - LUC 20.25B.050

- a. Site Design Guidelines
 - Vehicular Access: Vehicular access to the garage will be off a major arterial street – 108th Avenue NE and will not be directed through any single-family residential districts.
 - ii. Loading and Refuse Collection: Refuse collection will occur within the site and will not directly face a single family land use district. If any collection and storage facility is required, the location and design of that facility shall be submitted to Land Use for review. <u>Refer to</u> <u>Condition of Approval regarding refuse and recycling collection</u> facilities in Section X of this report.
 - iii. Retention of Significant Vegetation: The existing significant trees on the steep slopes will be retained and as mitigation for construction within the steep slopes, they will be supplemented with additional native trees and shrubs to provide a more robust screening of the garage and parking lot from 108th Avenue NE and any surrounding residential neighborhoods. Six Pin Oak trees in the location of the proposed Gateway Plaza, planted as part of a City of Bellevue CIP project will be removed. Compensation for these trees will be coordinated between the applicant and the City of Bellevue. Refer to Condition of Approval regarding the Pin Oaks in Section X of this report.
 - iv. Compatibility with Existing Residential Development: The proposed parking facility will fit within the surrounding residential and commercial context due to the following:
 - Retention and enhancement of existing significant trees on the slopes and along 108th Avenue NE.
 - Placement of the garage at the bottom of the steep slope such that the top of the garage will be below the street level for a significant portion of 108th Avenue NE.
 - Placement of the surface parking to the north of the garage to pull it further away from the street.
 - New robust landscaping throughout the existing surface parking lot.

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b. Building Design Guidelines

- Building Surfaces: Materials, including the concrete and aluminum panels, were chosen for their low reflectivity and compatibility with surrounding development.
- ii. Facades: Functional requirements of a parking garage make building modulation and articulation difficult. However, on the elevations facing the mixed-use development, the applicant has proposed additional architectural details such as the layering of perforated aluminum screens and the use of color that will help to break down the scale of the garage and add visual interest. Refer to discussion of the building design in Section III.3 above.
- iii. Roof Forms: The proposed garage building does not have a roof. However, because the top level is only ¼ of a level, there is a change of height in the building that is expressed on the west and south elevations. In addition, the detailing of the stair and elevator tower provide additional interest at the top level of the building and will relate to architectural details in the mixed-use building to the west.
- iv. Communication Dishes: No dishes are proposed for this development. Any dish proposed in the future that is greater than one meter in diameter must not be visible from adjacent residential districts.
- v. Materials and Colors: Materials, including the concrete and aluminum panels, were chosen for their low reflectivity and ability to blend into the surrounding natural environment. Accent colors were strategically used only at the stair tower and on signage to provide an architectural accent and identifying element.

C. Critical Areas

The parking garage is a component of a state or regional transportation facility that is classified per RCW 36.70A.200 as an EPF which the LUC formally accepts per LUC 20.50.018, Definitions. As such, state or regional transportation facilities may be allowed in a critical area, critical area buffer or critical area structure setback. Applicants of such facilities must still provide analysis of critical area to be disturbed along with necessary mitigation for such encroachments. The applicant has provided a geotechnical analysis from Earth Solutions NW, LLC, dated January 23, 2012 and a vegetation analysis on the slopes from Robert Williams and Associates, arborist, dated March 5, 2012.

The site contains ascending steep slopes (over 40 percent slopes) along its east and south property boundaries. LUC 20.25H designates such areas as critical areas. The applicant has proposed that a portion of the garage along with footings be constructed within the adjacent steep slope to the south. Additionally, the entirety of the garage is located within the toe of slope setback of 75 feet. The parking garage will be located within the existing surface parking area of the SKPR with the east and south portions of the building intruding into the toe of slope. The applicant has highlighted this with a 10 foot perimeter of temporary disturbance noted within these areas. See Sheet L1.0. The proposed building may encroach within a few vegetated areas at the edge of the existing pavement areas.

The proposal will not remove many significant trees. The arborist has provided review of slope vegetation. See Section III.A.2 for his discussion. Further plant mitigation may be required for this proposal due to removal of City street trees. A final mitigation plan will need to be complete prior to clear and grade issuance. **Refer to Conditions of Approval**

regarding the steep slope mitigation plan and the Pin Oaks in Section X of this report.

The east and southern slopes have not been set aside within a Native Growth Protection Easement (NGPE). For this application, the applicant will be required to place these slopes within an NGPE. Refer to Condition of Approval regarding the Native Growth Protection Easement in Section X of this report.

Description of the Critical Area Functions and Values

The City of Bellevue Land Use Code Critical Areas Overlay (LUC 20.25H) establishes standards and procedures that apply to development on any site which contains in whole or in part any portion designated as critical area or critical area buffer.

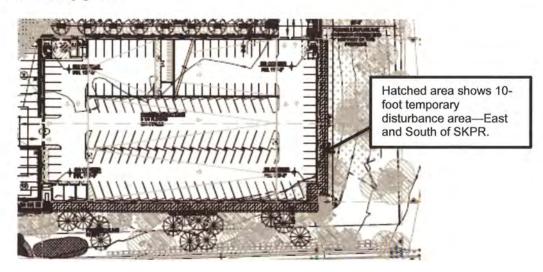
Geologic Hazard Areas

Geologic hazards pose a threat to the health and safety of citizens when commercial, residential, or industrial development is inappropriately sited in areas of significant hazard. Some geologic hazards can be reduced or mitigated by engineering, design, or modified construction practices. When technology cannot reduce risks to acceptable levels, building in geologically hazardous areas is best avoided (WAC 365-190).

Steep slopes may serve several other functions and possess other values for the City and its residents. Several of Bellevue's remaining large blocks of forest are located in steep slope areas, providing habitat for a variety of wildlife species and important linkages between habitat areas in the City. These steep slope areas also act as conduits for groundwater, which drains from hillsides to provide a water source for the City's wetlands and stream systems. Vegetated steep slopes also provide a visual amenity in the City, providing a "green" backdrop for urbanized areas enhancing property values and buffering urban development.

Proposal's Impact to Functions

The applicant has shown a 10 foot temporary disturbance area along the east and southern edges of the garage during the construction phase. This intrusion would be temporary disturbance to excavate for footings and to provide maneuvering area for construction equipment. Upon the completion, the proposal will have finished grades very close to the existing grades.



- 1. Performance Standards for Critical Areas
 - a. Consistency with Land Use Code Steep Slope Critical Areas Performance Standards LUC 20.25H.125:
 - Structures and improvements shall minimize alterations to the natural contour of the slope, and foundations shall be tiered where possible to conform to existing topography;

<u>Response:</u> The applicant is not proposing any permanent buildings, rockeries or retaining walls within the required NGPE. Upon completion of the earthwork, the applicant will re-vegetate the area so that it will blend in with existing vegetation on these slopes.

2) Structures and improvements shall be located to preserve the most critical portion of the site and its natural landforms and vegetation;

Response: The applicant has located the parking garage in the area that minimizes disturbance to the 40 percent slopes. The garage is oriented east/west on the site to avoid having the facility straddle the jurisdictional boundary between the Cities of Bellevue and Kirkland. The jurisdictional boundary creates development concerns for the building department and its review. Therefore, the applicant did not orient the structure north/south to avoid this boundary.

3) The proposed development shall not result in greater risk or a need for increased buffers on neighboring properties;

Response: The applicant has obtained the services of a geotechnical engineering consultant who has evaluated the slope (Earth Solutions NW, LLC dated January 23, 2012). The geotechnical engineer states that the existing slope is stable and that no impacts to slope stability are expected with this proposal. The geotechnical report is located in the project file.

4) The use of retaining walls that allow the maintenance of existing natural slope area is preferred over graded artificial slopes where graded slopes would result in increased disturbance as compared to use of retaining wall;

Response: A rockery or retaining wall is not required with the redesign of the proposal. No artificial grading is expected outside of backfilling the temporary construction area.

5) Development shall be designed to minimize impervious surfaces within the critical area and critical area buffer;

Response: The applicant has designed a facility that will minimize impacts to the critical area and its buffer. As an EPF, the facility may be placed wholly within the toe of slope buffers on this site. The applicant is temporarily encroaching into the steep slope by 10 feet to place the garage footings below

grade and to move equipment around the facility. This area will be revegetated to meet existing vegetated conditions.

6) Where change in grade outside the building footprint is necessary, the site retention system should be stepped and re-grading should be designed to minimize topographic modification. On slopes in excess of 40 percent, grading for yard area may be disallowed where inconsistent with this criteria;

Response: A rockery or retaining wall is not required with the redesign of the proposal. No artificial grading is expected outside of backfilling the temporary construction disturbance.

7) Building foundation walls shall be utilized as retaining walls rather than rockeries or retaining structures built separately and away from the building wherever feasible. Freestanding retaining devices are only permitted when they cannot be designed as structural elements of the building foundation;

Response: The parking structure will be located wholly within the toe of slope buffer of the identified steep slopes on this site. As an EPF, the applicant is allowed to site the proposed structure in this area if there is no feasible alternative. The presence of the jurisdictional boundary has caused the applicant to place the facility in its current location.

8) On slopes in excess of 40 percent, use of pole-type construction which conforms to the existing topography is required where feasible. If pole-type construction is not technically feasible, the structure must be tiered to conform to the existing topography and to minimize topographic modification;

Response: Not applicable. No structures are proposed within the critical slope.

9) On slopes in excess of 40 percent, piled deck support structures are required where technically feasible for parking or garages over fill-based construction types; and

<u>Response:</u> Not applicable. No structures are proposed to be located within the critical slope.

10) Areas of new permanent disturbance and all areas of temporary disturbance shall be mitigated and/or restored pursuant to a mitigation and restoration plan meeting the requirements of LUC 20.25H.210.

Response: The applicant will provide plant restoration as per LUC 20.25H.220. See Landscape Plan sheets L1.1 through L1.4, attached to this report.

b. <u>Critical Areas Report – Additional Provisions - LUC 20.25H.145</u>: Modifications to geologic hazard critical areas and critical area buffers shall only be approved if the Director determines that the modification:

 Will not increase the threat of the geological hazard to adjacent properties over conditions that would exist if the provisions of this part were not modified;

<u>Response:</u> The applicant has obtained the services of a geotechnical engineering consultant, Earth Solutions NW, LLC, who has evaluated if any impacts to the slope are anticipated. The geotechnical report states that the slopes are stable and no impacts to slope stability are expected.

2) Will not adversely impact other critical areas;

<u>Response:</u> No other critical areas exist on this site. As a condition of approval of the Clear and Grade permit, the applicant will designate the identified steep slopes as critical areas to maintain them in perpetuity. <u>Refer to Condition of Approval regarding the native growth protection easement in Section X of this report.</u>

 Is designed so that the hazard to the project is eliminated or mitigated to a level equal to or less than would exist if the provisions of this part were not modified;

Response: The applicant has obtained the services of a licensed geotechnical engineer to assist in project design and to ensure that the project will not impact the adjacent slopes. Earth Solutions NW, LLC has provided construction recommendations that the Building Department will evaluate during its review of the proposal.

4) Is certified as safe as designed and under anticipated conditions by a qualified engineer or geologist, licensed in the state of Washington;

Response: See geotechnical report of record (available in the project file).

5) The applicant provides a geotechnical report prepared by a qualified professional demonstrating that modification of the critical area or critical area buffer will have no adverse impacts on stability of any adjacent slopes, and will not impact stability of any existing structures. Geotechnical reporting standards shall comply with requirements developed by the Director in City of Bellevue Submittal Requirements Sheet 25, Geotechnical Report and Stability Analysis Requirements, now or as hereafter amended;

Response: See geotechnical report of record (available in the project file).

6) Any modification complies with recommendations of the geotechnical support with respect to best management practices, construction techniques or other recommendations; and

Response: See geotechnical report of record (available in the project file). The applicant must submit as part of the required clearing & grading permit information regarding the use of pesticides, insecticides, and fertilizers in accordance with the City of Bellevue's "Environmental Best Management

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Practices." Refer to Condition of Approval regarding pesticides, insecticides and fertilizers in Section X of this report.

7) The proposed modification to the critical area or critical area buffer with any associated mitigation does not significantly impact habitat associated with species of local importance, or such habitat that could reasonably be expected to exist during the anticipated life of the development proposal if the area were regulated under this part.

Response: This site does not provide a significant source of habitat to species of local importance given the nature of its use as a transportation facility.

IV. PUBLIC NOTICE AND COMMENT DATES

The Design Review process provides the option of having a public meeting while the City of Kirkland has a formal requirement for a public meeting. Rather than hold a separate public meeting, the City of Bellevue and Kirkland held a joint meeting on February 2, 2012. There were 16 attendees at this meeting. The applicant's consultants along with staff from both cities addressed neighborhood questions concerning process and time line. The primary issue that was raised repeatedly by attendants related to transportation and the additional impacts the increase in parking and housing will generate.

As of the date of this staff report, staff has received written correspondence via email that expressed the same transportation concerns heard at the public meeting. See Section V.C of this report for the Transportation Department's formal discussion of these impacts.

V. TECHNICAL REVIEW

A. Clearing & Grading

The Clearing & Grading Division has reviewed the proposal and will conduct a more detailed review under the clearing & grading permit application.

B. Utilities

Utility review has been on a conceptual basis only and the site can be served with water, sewer and storm facilities. Water for the parking structure will connect to a water main extension from 108th Ave NE. Sewer will be served onsite through City of Kirkland. The drainage plan approval for the site will require the development to comply with Minimum Requirements 1-9 of the Storm and Surface Water Codes and Standards. Drainage BMPs proposed for the site include a detention vault to comply with MR 7 and Filterra tree vaults to comply with MR 6. Minimum requirement 5 is proposed to be met by using amended soils in landscaped areas. Other Minimum Requirement 5 methods may be required if during UE review they are determined to be feasible. Refer to Condition of Approval regarding the preliminary design, utility codes and engineering standards in Section X of this report.

C. Transportation

Introduction

The following comments are based on a review of the preliminary plan submittal including road plan, channelization, street lighting and landscaping plan; the traffic impact analysis submitted to the city on March 1, 2012 by Transpo Group, the applicant's transportation consultant; and Transportation Department codes and standards.

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Impact Analysis and Trip Generation

The analysis of traffic impacts was performed according to widely accepted procedures for development traffic impact review. Traffic impacts are defined as the difference in traffic conditions that would occur with the proposed project, as compared with the conditions that would occur without the proposed project.

For the traffic impact analysis, the volume of trips entering and exiting the site due to the expansion was estimated using a trip generation rate appropriate for the proposed use. Through the use of a transportation model, these trips are distributed and assigned on roadway networks, and then analyzed for impacts to those networks. Impacts in the year of opening were analyzed with respect to traffic operations and adopted transportation plans. The SKPR and TOD together will result in a net increase of approximately 2,310 new weekday trips with approximately 268 trips generated during the a.m. peak hour and 262 trips generated during the p.m. peak hour.

Short Term Operational Impacts and Mitigation

Traffic Standards Code

The Traffic Standards Code (TSC) requires that development proposals that generate more than 30 p.m. peak hour trips undergo a traffic impact analysis. However, public transportation facilities such as SKPR (located in Bellevue) are exempt from the provisions of the TSC. The TOD (located in Kirkland) part of the site has passed that city's the concurrency test run by the City of Kirkland.

Traffic Operations

City staff directed the Transpo Group to analyze the short term operational impacts of this proposal in order to recommend mitigation if necessary. Project trip distribution patterns for a.m. and p.m. peak hours were developed using counts performed at the existing SKPR driveways. The traffic impact analysis included traffic operations conditions during the a.m. and p.m. peak hours. Issues that were analyzed included LOS analysis of the nearby intersections, site access and circulation, queuing analysis, traffic signal warrant analysis, accident history analysis for the past three years, and transit availability. The results of the short-term traffic analysis are published in the "South Kirkland Park-and-Ride Expansion and Transit Oriented Development Traffic Impact Study", dated February 2012, by Transpo Group. The study is included in the city's file for this development.

Existing driveway counts were used to forecast access patterns into and out of the SKPR lot at the site's driveways. Bus arrival and departure patterns for the future SKPR expansion conditions were obtained from King County. The net new bus trips were assigned to the roadway network for a.m. and p.m. peak hour conditions.

The Transpo Group report recommends installation of new traffic signal at the intersection of 108th NE/ NE 38th Place. It is anticipated that with installation of the traffic signal, the intersection will operate at LOS C or better in 2014 during the weekday a.m. and p.m. peak hours. The applicant will design and install the new traffic signal system which will include a traffic camera and fiber optic interconnect to the 108th NE/ Northup Way intersection. The signal design and installation will meet Bellevue's SCATS traffic system design criteria and specifications. The City of Bellevue will own and maintain the new traffic signal.

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Long Term Impacts and Mitigation

The long-term impacts of development projected to occur in the City by 2020 are addressed in the City's Final Environmental Impact Statement (TFP EIS) 2009-2020 Transportation Facilities Plan published March 5, 2009, and through the payment of traffic impact fees. Development projects with broad public purposes, such as public transportation facilities such as SKPR are exempt from payment of this fee, per BCC 22.16.070. No other long-term mitigation is required. The City's TFP EIS is available for review in the City Hall Record's Room.

Site Access

Access to the SKPR site from Bellevue will be provided via a 38-foot wide street-type opening on 108th NE about 75 feet north of the intersection of 108th NE/ NE 38th Place. The Kirkland access to the SKPR site will be from a 25-foot wide street-type opening on NE 38th Place approximately 460 feet west of 108th NE/ NE 38th Place intersection. Currently, there are no vehicular access restrictions at the 108th NE access point. However, as described in February 15, 2012 email from Paul Eng of King County Metro, that agency will apply specific measures in the future to mitigate impacts at the site's access in order to avoid additional access restrictions on 108th NE. The details of "Transportation Technical Agreements" and its associate map dated February 15, 2012, may be reviewed under Attachment B of this report. A signed and recorded agreement which describes unacceptable impacts to the 108th NE access point as determined by the City of Bellevue must be provided prior to issuance of building permit for the parking garage. Refer to Condition of Approval regarding Transportation Technical Agreements in Section X of this report.

Street Frontage Improvements

In order to provide safe pedestrian and vehicular access in the vicinity of the site, and to provide infrastructure improvements with a consistent and attractive appearance, the construction of street frontage improvements along 108th NE (the Bellevue street frontage) required as a condition of development approval. The design of the improvements must conform to the requirements of the Americans with Disabilities Act, the Transportation Development Code (BCC 14.60), and the provisions of the Transportation Department Design Manual.

- A street light plan is required for review and approval prior to completion of engineering and landscape plans for their installation. The goal is to provide the optimum number of street trees while not compromising the light and safety provided by streetlights. Street trees and streetlights must be shown on the same plan sheet with the proper separation (generally 25 feet apart) and the proper spacing from driveways (ten feet from Point A in standard drawing DEV-7A).
- 2. The Americans with Disabilities Act (ADA) requires that sidewalk cross slopes not exceed two percent. The sidewalk cross slope may be less than two percent only if the sidewalk has a longitudinal slope sufficient to provide adequate drainage. Bellevue's standard for curb height is six inches, except where curb ramps are needed. The engineering plans must comply with these requirements, and must show adequate details, including spot elevations, to confirm compliance. New curb and sidewalk shall be constructed in compliance with these requirements. Building elevations shall be consistent with the required curb and sidewalk elevations. Spot elevations must be included in the plaza plans in a manner that proves that building

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elevations are designed to correspond to the sidewalk elevations shown in the engineering plans, especially at entrances and other key points.

ADA also requires provision of a consistent travel path for visually handicapped pedestrians. Potential tripping hazards are not allowed in the main pathway. Traffic signal controller boxes and streetlight contactor cabinets must be located so as not to interfere with the main pedestrian path. ADA-compliant curb ramps shall be installed where needed, consistent with standard drawings TE-12 or TE-13.

- 3. The curb, gutter, and sidewalk on 108th NE shall be completely removed and reconstructed with a new concrete sidewalk width of at least eight feet, not including the curb. In addition, a new metal safety railing of 48 inches in height and consistent with specifications shown on standard drawing TE-34 is required along the 108th NE entire frontage starting from north side of the 108th NE driveway to the site's most northern property line.
- 4. The design and appearance of the sidewalk on 108th NE shall comply with the standards and drawings in the Transportation Department Design Manual, including standard drawing TE-11. The sidewalk shall be constructed of standard concrete with a broom finish and a two-foot by two-foot score pattern, unless both the Transportation Department and the Development Services Department agree to accept any non-standard pattern. If approved, any non-standard patterns may be installed only if an agreement is recorded against the property to hold the landowners responsible for maintenance and replacement of all such non-standard sidewalk features.

Any non-standard features or vegetation shall not create a sight obstruction within any required sight triangle, shall not create a tripping or slipping hazard in the sidewalk, and shall not create a raised fixed object in the street's clear zone. The materials and installation methods must meet typical construction requirements. Any non-standard features or vegetation shall not create a sight obstruction within any required sight triangle and shall not create a tripping or slipping hazard in the sidewalk.

- The driveway on 108th NE shall have an approach width, as defined in standard drawing DEV-7A, of 38 feet. The driveway will have appropriate curb returns in order to accommodate articulated buses turning movement.
- No new utility vaults that serve only one development will be allowed within a public sidewalk.
- 7. Any awning, marquee, balcony, etc. over a sidewalk or utility easement must be at least 16 feet above the sidewalk, or be removable (with an agreement regarding removal and replacement); and must have at least 3 feet horizontal clearance from any streetlight or traffic signal pole.
- No fixed objects, including fire hydrants, trees, and streetlight poles, are allowed within ten feet of a driveway edge, defined as Point A in standard drawing Dev-7A. Fixed objects are defined as anything with breakaway characteristics stronger than a 4-inch by 4-inch wooden post.
- No new overhead utility lines will be allowed within or across any right of way or sidewalk easement, and existing overhead lines must be relocated underground.

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Refer to Condition of Approval regarding civil engineering plans for transportation, building and site plans – transportation, and street frontage improvements in Section X of this report.

Easements

There are some utility easements contained on this site which are affected by this development. Any negative impact that this development has on those easements must be mitigated or easements relinquished.

The applicant shall provide easements to the City for location of traffic signal and street light facilities consisting of above-grade boxes and/or below-grade vaults between the building and sidewalk within the landscape area on the 108th NE and NE 38th Place NE frontage. Transformers and utility vaults to serve the building shall be placed inside the building or below grade, to the extent feasible. Refer to Condition of approval regarding existing easements and easements for signal control and street light boxes and vaults in Section X of this report.

Use of the Right of Way During Construction

Applicants often request use of the right of way and of pedestrian easements for materials storage, construction trailers, hauling routes, fencing, barricades, loading and unloading and other temporary uses as well as for construction of utilities and street improvements. A Right of Way Use Permit for such activities must be acquired prior to issuance of any construction permit including demolition permit. Sidewalks may not be closed except as specifically allowed by a Right of Way Use Permit. Refer to Condition of Approval regarding right-of-way use permit in Section X of this report.

Pavement Restoration

The City of Bellevue has established the Trench Restoration Program to provide developers with guidance as to the extent of resurfacing required when a street has been damaged by trenching or other activities. Under the Trench Restoration Program, every street in the City of Bellevue has been examined and placed in one of three categories based on the street's condition and the period of time since it has last been resurfaced. Near this project, 108th NE has been classified as "Standard Trench Restoration." However, 2-inch pavement grind and overlay at 108th NE/ NE 38th Place intersection may be required as part of the new traffic signal system installation. The extent of pavement restoration will be determined as part of the forthcoming traffic signal plans and specifications. Refer to Condition of Approval regarding pavement restoration in Section X of this report.

C. Building Division

This proposal contains different phases of construction activities. The owner shall be required to work with the selected contractor to determine how construction patterns and staging will take place on the site. The owner and contractor must also address how occupants will be protected as demolition and construction activities take place from one area to another. Construction work areas and staging areas must be isolated from occupied areas of the site and from egress routes leading from those occupied areas to the public way. To address these issues, the owner and selected contractor are required to submit a phasing plan for review and approval by the City before each phase change in construction that effects fire access or occupants ingress/egress. This information should be part of the bid package to inform the selected contractor of the phasing responsibilities and occupant protection issues. Additionally, phased construction and simultaneous

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occupancy of adjacent areas must be **APPROVED** by the City of Bellevue **BEFORE** such conditions can be permitted. A fire/life safety plan shall be submitted for the project immediately upon notice of award of contract (IBC/IFC).

The Building Division has approved the conceptual design for this proposal. All plan review and field inspection will be performed under the required building permits for this project. Refer to Condition of Approval regarding project phasing in Section X of this report.

E. Fire

The Fire Department has reviewed and approved this proposal. Formal Fire review will occur under subsequent building and fire permits for this proposal.

VI. STATE ENVIRONMENTAL POLICY ACT (SEPA)

King County Metro is a State agency with SEPA jurisdiction which permits them to complete environmental determinations. King County has chosen to exercise this right for this project. A Determination of Non-Significance (DNS) was issued on April 2, 2012, with an appeal period ending April 23, 2012. A copy of this DNS is available within the project file.

Staff reviewed the submitted DNS that was issued by King County for this project and concurs with its issuance. No additional comment or appeal period is available on the issued DNS as part of the City's Administrative Amendment, Design Review or Critical Areas Land Use permit approvals for this project.

VII. CHANGES TO PROPOSAL DUE TO CITY REVIEW

A. Building Design

First Level

Additional architectural detailing in the form of board form concrete at the base of the building and accent landscaping was placed along the first level of the garage.

2. Stair Towers

The stair tower at the northwest corner of the garage has been redesigned to create an interesting architectural feature that will also serve as an identifying entry element for the garage users. Stairs at the northeast corner of the site were pulled out of the steep slope critical area and located within the building envelope.

3. Building Materials/Façade Detailing

Green screens have been replaced with a richer tapestry of perforated aluminum panels. Two different densities of perforations will be used to create additional modulation and interest. Additional colors, including the stair tower soffit and the elevator tower, will add interest and relate to the proposed mixed-use development to the west.

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4. Garage Entry

The garage entry on the west façade (facing the housing development) has been shifted to align with the parking lot driveway through the surface parking area.

B. Site Design

1. Gateway Plaza and Main Site Entry

The gateway plaza was reconfigured to be more useable by pedestrians and to create more of a gateway and entry statement. The opposite corner on 108th Avenue NE was redesigned to include trees and plantings that help to complete the gateway design concept by relating better to the gateway plaza across the street via a revised landscape plan.

2. Landscaping on Critical Slopes

The applicant has proposed to retain all significant trees on the critical slopes and to enhance these slopes with native trees and shrubs based on an assessment by a certified arborist. An arborists report has been submitted and based on these findings and recommendations, a final landscape and mitigation plan will be required and submitted under the clearing and grading permit submittal. Refer to Condition of Approval regarding the final steep slope mitigation plan in Section X of this report.

3. Sidewalk Along 108th Avenue NE/Neighborhood Connections
The applicant will provide an eight-foot wide sidewalk along the entire length of NE 108th Avenue NE. Engineering review of this sidewalk will be performed during building permit review. Refer to Condition of Approval regarding the civil engineering plans for engineering in Section X of this report.

VIII. DECISION CRITERIA

A. ADMINISTRATIVE AMENDMENT

The Director may approve, or approve with modifications, an application for an Administrative Amendment (LUC 20.30B.175.D):

1. The administrative amendment maintains the design intent or purpose of the original approval; and

Response: The submitted proposal continues the original use of this site by King County Metro as a regional park and ride facility. The addition of the parking garage allows Metro to increase the number of parking stalls due to the public's recent increase in demand for such facilities.

2. The amendment maintains the quality of design or product established by the original approval; and

Response: As conditioned, the proposal is compatible with and responds to the existing/ intended character, appearance, quality of development and physical characteristics of the subject property and vicinity. The proposed building will provide additional parking stalls for this facility. A majority of the garage will be screened from adjacent residential uses due to the 40 percent slope that exists to the south and east of the site. The proposed building colors and materials will match the

proposed mixed-use development that will be constructed in the City of Kirkland. Refer to discussion of site and building design in Section III.A.2 and 3 of this report.

3. The administrative amendment is not materially detrimental to uses or property in the immediate vicinity of the subject property.

Response: The administrative amendment is conditioned to address various issues as noted in Section VIII.A. As conditioned, the proposed administrative amendment will not be materially detrimental to uses or property in the immediate vicinity of the site.

B. ESSENTIAL PUBLIC FACILITY

In addition to the decision criteria applicable to any permit required to construct or modify the EPF, the City may approve, or approve with modifications, a proposal to construct or modify an EPF if:

 The location and design are consistent with any planning document under which the proposing agency, special district or organization operates, as determined by the person or body having authority to interpret such document;

Response: This proposal continues operation of the current SKPR facility that is operated by King County Metro. They have operated a park and ride at this location since 1979. The location and design of this parking garage is consistent with the present use.

2. The location, design, use and operation of the EPF complies with any applicable guidelines, rules, regulations or statutes adopted by state law, or any agency or jurisdiction with authority;

<u>Response</u>: The proposal, as designed, will comply with applicable Metro guidelines to operate this facility. Furthermore, it will conform to the requirements of applicable Bellevue City Codes.

A building which houses all or a majority of an EPF must be compatible
with the architectural form of surrounding buildings. This requirement is not
applicable to an EPF where significant elements of the facility are not housed
in a building or to isolated minor elements such as utility meters;

Response: See Section III.A.3 above for architectural compatibility with adjacent neighborhood.

4. An EPF may be permitted in a Neighborhood Business or Residential Land Use District (R-1 through R-30), only if there is an operational or other need that requires locating in that district to achieve the purpose or function of the EPF;

Response: The Bellevue portion of the SKPR is located within an R-15 residential district. Park and Rides are permitted to be located in this land use district via a Conditional Use Permit. Since this is not a new use and has been in operation since

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1979 this proposal qualified for the Administrative Amendment Process as it is a modification to a previously approved Conditional Use permit.

The addition of a parking garage will increase the available parking stalls to the public. King County Metro has proposed increasing the parking stall count from 603 to 853, which will yield a 250 stall increase so they can meet the anticipated demand for park and ride facilities in this area. Refer to discussion regarding the parking analysis in Section III.A.4.a of this report.

- 5. The City may approve a request to exceed the height limit for the underlying land use district if the applicant demonstrates that:
- a. The requested increase is the minimum necessary for the effective functioning of the EPF; and
- Visual and aesthetic impacts associated with the EPF have been mitigated to the greatest extent technically feasible;

Response: The maximum building height in the R-15 zoning district in transition is 30 feet. The applicant is proposing a building height of 41 feet to accommodate the elevator tower to the fourth floor parking area. Accommodating this height increase will allow Metro to meet the public's need for additional parking stalls at this location due to the recent tolling on SR-520 and the current economic climate. Refer to discussion regarding the parking analysis in Section III.A.4.a of this report.

The park and ride facility is located in a depression below 108th Avenue NE which will screen a majority of the building. Existing trees upslope from this proposal will provide further visual screening from residential uses across 108th Avenue NE. The tree canopy along 108th Avenue NE is not uniform; therefore, allowing views of the upper deck at various locations. The applicant will be required to interplant evergreen trees in these locations to reduce the view of the upper deck over time. See Section III.A.2 for landscaping discussion.

Given the above analysis, the applicant's request for an additional 11 foot height increase beyond the underlying land use height of 30 feet is granted for a total building height of 41 feet.

6. If the City determines that the EPF is potentially dangerous to human life, appropriate protective measures may be required.

Response: The SKPR facility has not been deemed a hazard to human life. King County Metro contracts out for public safety services to provide police presence to all of their facilities.

C. DESIGN REVIEW

The Director may approve, or approve with modifications, an application for Design Review if the following criteria are met (LUC 20.30F.145):

1. The proposal is consistent with the Comprehensive Plan.

Land Use Policies:

Policy LU-9

Maintain compatible use and design with the surrounding built environment when considering new development or redevelopment within an already developed area.

Response: The current use of this site as a park and ride facility was allowed under a previous conditional use approval. The addition of a garage and reconfiguration of the parking lot is a revision of the existing use.

North Bellevue Subarea Policies:

Policy S-NB-6

Retain and enhance natural vegetation.

Policy S-NB-8

Retain and enhance existing vegetation on steep slopes and in wetland areas in order to control erosion, landslide potential, and to protect the natural drainage system.

Policy S-NB-11

Minimize land coverage by impervious surfaces in environmentally sensitive areas.

Response: The proposed garage will intrude approximately 10-feet (along the south and east building walls) into the steep slope critical areas. However, the applicant will be able to retain most of the natural vegetation on the slope. As mitigation for the steep slope disturbance, the applicant will be required to submit a mitigation plan with enhanced native tree and shrub plantings on the steep slopes.

Policy S-NB-31

Provide for energy-efficient transportation facilities and programs for increased utilization of public transit and carpooling in order to link residential areas with employment centers.

Response: The proposed garage will increase the number of parking stalls in the SKPR facility. This is a response to the increased demand that has been felt, due in large part to changes being made to SR-520. Because the park and ride is in a convenient location for commuters who are going to employment centers on the eastside and in Seattle, ridership continues to increase.

POLICY S-NB-32

Provide safe and adequate sidewalks on all Subarea arterials.

Response: The applicant is proposing to enlarge the existing public sidewalk along 108th Avenue NE from six-feet to eight-feet and to widen the sidewalks at the gateway corners to better accommodate and promote both pedestrian and bicycle traffic.

Urban Design Policies:

Policy UD-4

Ensure that development relates, connects, and continues design quality and site functions from site to site.

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Response: The proposed garage will take design clues from the proposed mixed-use development in Kirkland. This includes the overall scale and architectural detailing and colors on the stair and elevator tower on the garage. Pedestrian sidewalks and crosswalks will encourage pedestrian connections between the garage, parking garage, surface parking lot, and the transit center. An enlarged sidewalk along 108th Avenue NE will provide safer connections between the transit facility and adjacent neighborhoods.

Policy UD-16

Exemplify the Pacific Northwest character through the retention of existing vegetation and through use of native plants in new landscaping. Encourage water conservation in landscape designs. **Discussion:** The addition of new landscaping is important to soften the urban environment and to replace older vegetation as it dies.

<u>Response:</u> Proposed landscaping throughout the site will combine ornamental and native species that will have a northwest character. Any mitigation plantings on the steep slopes will be required to use native vegetation to supplement the existing mature trees. Species will be chosen based on the recommendation from the applicant's arborist report and the City of Bellevue Critical Areas Handbook.

2. The proposal complies with the applicable requirements of this Code.

Response: Refer to discussion in Section III above.

3. The proposal addresses all applicable design guidelines or criteria of this Code in a manner which fulfills their purpose and intent.

Response: As conditioned the proposal addresses all applicable design guidelines or criteria of this code in a manner which fulfills their purposed and intent. For more detail, refer to Section III, Consistency with Land Use Code/Zoning Requirements, which includes discussion on the following applicable requirements:

- Dimensional requirements
- Landscape requirements
- Steep Slope Critical Areas
- Transition Area Design District
- Essential Public Facilities
- 4. The proposal is compatible with and responds to the existing or intended character, appearance, quality of development and physical characteristics of the subject property and immediate vicinity.

Response: As conditioned, the project meets this criterion. Refer to discussion in Section VII.A.2 of this report.

The proposal will be served by adequate public facilities including streets, fire protection, and utilities. South Kirkland Park and Ride 12-104625-LD, 12-104524-LO and 12-104621-LI Page 34 of 45

<u>Response:</u> As conditioned the proposal will be served by adequate public facilities, including streets, fire protection and utilities. Refer to discussion in Section VII.A.3 of this report.

D. CRITICAL AREAS REPORT DECISION CRITERIA – PROPOSALS TO REDUCE REGULATED CRITICAL AREA BUFFER

The Director may approve, or approve with modifications, a proposal to reduce the regulated critical area buffer on a site where the applicant demonstrates (LUC 20.25H.255):

 The proposal includes plans for restoration of degraded critical area or critical area buffer functions which demonstrate a net gain in overall critical area or critical area buffer functions.

Response: This proposal, as designed, will not lead to a further degradation of critical areas. The proposal will have a 10 square foot temporary intrusion into the toe of slope for placement of below grade footings and movement of machinery. The area will be re-vegetated at the conclusion of construction activities to blend with existing conditions. Maintenance and monitoring will be required to ensure plant establishment. Refer to Conditions of Approval regarding the steep slope critical area mitigation plan, performance standards, and the maintenance and monitoring report in Section X of this report.

 The proposal includes plans for restoration of degraded critical area or critical area buffer functions which demonstrate a net gain in the most important critical area or critical area buffer functions to the ecosystem in which they exist.

<u>Response:</u> The applicant is required to submit a final mitigation plan which includes replanting of the disturbed portions of the slope and setback. <u>Refer to Condition of Approval regarding the mitigation plan in Section X of this report.</u>

4. The proposal includes a net gain in stormwater quality function by the critical area buffer or by elements of the development proposal outside of the reduced regulated critical area buffer.

<u>Response:</u> A net gain in stormwater function is expected to be achieved through enhanced site drainage and plant restoration with indigenous plant materials.

Adequate resources to ensure completion of any required restoration, mitigation and monitoring efforts.

Response: No financial security device may be obtained for this proposal as this is a public facility. Financial devises may not be secured from public entities.

The modifications and performance standards included in the proposal are not detrimental to the functions and values of critical area and critical area buffers off-site.

Response: This proposal will not lead to the degradation of functions and values on

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critical areas or setbacks on adjacent property. The proposed work is designed to be limited to already impacted areas.

7. The resulting development is compatible with other uses and development in the same land use district.

Response: The requested modifications are consistent with those commonly associated with nonresidential uses within residential land use districts. The applicant will be required to complete the proposed landscaping mitigations to provide additional screening from adjacent residential uses.

E. CRITICAL AREAS LAND USE PERMIT

The Director may approve, or approve with modifications, an application for Critical Areas Land Use Permit if (LUC 20.30P.140):

1. The proposal obtains all other permits required by the Land Use Code.

Response: In addition to a Critical Areas Land Use Permit, this decision includes Design Review approval and Administrative Amendment approval. Other required permits include a right-of-way use permit (for project-related hauling) and the usual construction permits such as a clearing and grading permit, utilities extension permit, building permit and the ancillary permits required during the construction (e.g. electrical, plumbing etc.).

2. The proposal utilizes to the maximum extent possible the best available construction, design and development techniques which result in the least impact on the critical area and critical area buffer.

Response: The applicant does not propose the removal of many trees for the proposed project. However, a 10 foot temporary disturbance area has been identified on Sheet L1.0 but will be restored upon conclusion of construction activities. Prior to clearing and grading permit issuance, the applicant must submit a list of all proposed pesticides, insecticides and fertilizers to be used during the landscape installation. All of these products must be in accordance with the City of Bellevue's "Environmental Best Management Practices." The restored buffer area must be in accordance with the City's Critical Areas Handbook. Refer to Condition of Approval regarding pesticides, insecticides and fertilizers in Section X of this report.

3. The proposal incorporates the performance standards of Part 20.25H to the maximum extent applicable.

Response: The applicant has limited intrusion into critical slopes by providing a 10 foot temporary disturbance buffer for the placement of underground footings and movement of necessary machinery. The applicant will re-vegetate the area back to match existing vegetative conditions.

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4. The proposal will be served by adequate public facilities including street, fire protection, and utilities.

Response: As conditioned by this decision, the proposal will be served by adequate public facilities, including streets, fire protection and utilities. See the above response to Section VII.A.3.

5. The proposal includes a mitigation or restoration plan consistent with the requirements of LUC Section 20.25H.210.

Response: This decision includes a mitigation plan for the critical slope disturbance. The plan is consistent with the requirements of LUC Section 20.25H.010. See the Landscape Plan sheets L1.1 through L1.4.

6. The proposal complies with other applicable requirements of this code.

Response: As discussed in Section III of this report, the proposal complies with all other applicable requirements of the Land Use Code. The proposal will be subject to standard noise controls, per BCC 9.18. Refer to conditions of approval regarding construction noise hours and use of best available noise abatement technology in Section X of this report.

IX. DECISION

After reviewing the proposal for consistency with the applicable requirements, standards and, policies, the Director hereby **APPROVE WITH CONDITIONS** the Design Review, Administrative Amendment, and Critical Areas Land Use Permit.

X. CONDITIONS OF APPROVAL

The following conditions are imposed under authority referenced:

NOTE – Vested Status of the Design Review and Administrative Amendment approvals: The vested status of the Design Review and Administrative Amendment approval is per Land Use Code 20.40.500. Under Land Use Code 20.40.500, the vested status of the Design Review and Administrative Amendment approval shall expire two years from the date of the City's final decision, unless a completed building permit application is filed before the end of the two year term. Upon issuance of a building permit, the vested status of a land use permit or approval shall be automatically extended for the life of the project.

NOTE – Vested Status of Critical Areas Land Use Permit Approval: In accordance with LUC 20.30P.150 a Critical Areas Land Use Permit automatically expires and is void if the applicant fails to file for a Clearing and Grading Permit or other necessary development permits within one year of the effective date of the approval.

COMPLIANCE WITH BELLEVUE CITY CODES AND ORDINANCES:

The applicant shall comply with all applicable Bellevue City Codes and Ordinances including but not limited to:

10.111.2 4 12.1		
Clearing and Grading Code - BCC 23.76	Savina Uzunow,	425-452-7860
Bellevue Development Standards	Savina Uzunow,	425-452-7860
Transportation Code - BCC 14.60	Abdy Farid,	425-452-7698
Trans. Development Review - BCC.22.16	Abdy Farid,	425-452-7698
Right-of-Way Use Permit - BCC 14.30	Tim Stever,	425-425-4294
Bellevue Utilities Code - BCC Title 24	Mark Dewey,	425-452-6179
Construction Codes - BCC Title 23	Mark Chang,	425-452-6997
Structural Codes – BCC Title 23	Doug Beck,	425-452-4563
Land Use Code (LUC) - BCC Title 20	T. Pratt, S. Nichols,	425-452-6800
Sign Code - BCC Title 22B	T. Pratt, S. Nichols,	425-452-6800
Noise Control - BCC 9.18	T. Pratt, S. Nichols,	425-452-6800
Uniform Fire Code - BCC 23.11	Travis Ripley,	425-452-6042

A. GENERAL CONDITIONS: The following conditions apply to all phases of development.

1. Construction Noise Hours

Noise related to construction is allowed from 7:00 a.m. to 6:00 p.m. Monday through Friday and 9:00 a.m. to 6:00 p.m. on Saturday, except for Federal holidays and as further defined by the Bellevue City Code. Exceptions to the construction noise hours limitation contained in the Noise Control Code MAY be granted pursuant to 9.18.020C.1 when necessary to accommodate construction which cannot be undertaken during exempt hours. Written requests for exemption from the Noise Control Code must be submitted two weeks prior to the scheduled onset of extended hour construction activity.

Reviewer: T. Pratt, S. Nichols, Land Use

Authority: BCC 9.18.020, .040

2. Use of Best Available Noise Abatement Technology

The use of best available noise abatement technology consistent with feasibility is required during construction to mitigate construction noise impacts to surrounding uses.

Reviewer: T. Pratt, S. Nichols, Land Use

Authority: BCC 9.18.020F

Preliminary Design, Utility Codes and Engineering Standards

Utility review has been completed on the preliminary information submitted at the time of this application. The review of this application has no implied approvals for water, sewer and storm drainage components of the project. Final plan approval will occur under a Utility Extension Agreement which will be required for review and approval of the utility design. Submittal of the utility extension will coincide with future clearing and grading permit review. Final civil engineering may require changes to the site layout to accommodate the utilities.

Reviewer: Mark Dewey, Utilities

Authority: BCC Title 24.02, 24.04, 24.06

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B. PRIOR TO CLEARING & GRADING (CG) PERMIT: The following conditions are imposed to ensure compliance with the relevant decision criteria and Code requirements and to mitigate adverse environmental impacts not addressed through applicable Code provisions. These conditions must be complied with on plans submitted with the <u>Clearing & Grading or Demolition permit</u> application:

1. Right-Of-Way Use Permit

Prior to issuance of any construction or clearing and grading permit, the applicant shall secure applicable right-of-way use permits from the City's Transportation Department, which may include:

- Designated truck hauling routes.
- b) Truck loading/unloading activities.
- Location of construction fences.
- d) Hours of construction and hauling.
- Requirements for leasing of right of way or pedestrian easements.
- f) Provisions for street sweeping, excavation and construction.
- g) Location of construction signing and pedestrian detour routes.
- h) All other construction activities as they affect the public street system.

In addition, the applicant shall submit for review and approval a plan for providing pedestrian access during construction of this project. Access shall be provided at all times during the construction process, except when specific construction activities such as shoring, foundation work, and construction of frontage improvements prevents access. General materials storage and contractor convenience are not reasons for preventing access.

The applicant shall secure sufficient off-street parking for construction workers before the issuance of a clearing and grading, building, a foundation or demolition permit.

AUTHORITY: BCC 11.70 & 14.30

Reviewer: Tim Stever, Transportation Department, (425) 452-4294

2. Civil Engineering Plans - Transportation

Civil engineering plans produced by a qualified engineer must be approved by the Transportation Department prior to issuance of the clearing and grading permit. The design of all street frontage improvements and driveway accesses must be in conformance with the requirements of the Americans with Disabilities Act, the Transportation Development Code, the provisions of the Transportation Department Design Manual, and specific requirements stated elsewhere in this document. All relevant standard drawings from the Transportation Department Design Manual shall be copied exactly into the final engineering plans. Requirements for the engineering plans include, but are not limited to:

- a) Traffic signs and markings.
- b) Curb, gutter, sidewalk, and driveway approach design. (The engineering plans shall be the controlling document on the design of these features; architectural and landscape plans must conform to the engineering plans as needed.)

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- Handicapped ramps, crosswalk revisions, and crosswalk equipment such as pushbuttons.
- d) Installation or relocation of streetlights and related equipment.
- e) Sight distance. (Show the required sight triangles and include any sight obstructions, including those off-site.)
- f) Location of fixed objects in the sidewalk or near the driveway approach.
- g) Trench restoration within any right of way or access easement.

Specific requirements are detailed below.

- a) The applicant is responsible for the cost associated with the design and installation of street lights along the 108th NE entire site frontage.
- b) The applicant will install 8-foot wide concrete sidewalk and a new metal safety railing of 48 inches in height and consistent with specifications shown on standard drawing TE-34 along the entire frontage starting from north side of the 108th NE driveway to the site's most northern property line.
- c) The applicant is responsible for the entire cost associated with the design, installation and operation of a new traffic signal with traffic camera at 108th NE/ NE 38th Place intersection. The traffic signal plans and specifications will be per the City of Bellevue design criteria as the city will own and maintain the new traffic signal.
- d) The applicant is responsible for the costs associated with fiber optic interconnect from 108th NE/ NE 38th Place to the 108th NE/ Northup Way intersection.
- e) The applicant is responsible for street channelization, marking, and signage on 108th NE along the site's frontage and at the 108th NE/ NE 38th Place NE signalized intersection. Street channelization on 108th NE will include "Do Not Block Intersection" marking per MUTCD 3B-18.
- f) The applicant is responsible for street channelization, marking, and signage on 108th NE from 108th NE/ NE 38th Place to the 108th NE/ Northup Way intersection including a two-way left turn configuration in front of the Yarrowood Condominiums existing access point.
- g) Roadway widening including a new curb, gutter, and sidewalk shall be constructed on 108th NE between SKPR driveway and NE 38th Place. According to the preliminary road plan submitted on March 13, 2012, the property sidewalk width along this section of 108th NE varies between 11.3'- 14.1', not including the 6 inch vertical curb. The minimum proposed curb return radius for the southwest corner of 108th NE/ NE 38th intersection will be at least 35 feet.
- Any damage to the site's frontage during the construction must be repaired or replaced as directed by the Transportation Department Construction Inspector.
- Transformers and utility vaults to serve the building shall be placed inside the building or below grade, to the extent feasible.

Miscellaneous:

 City standards for driveway widths range from 30 to 36 feet on arterial streets. However, in order to accommodate articulated bus traffic, SKPR driveway on 108th NE will be 38-foot wide and adequate radius will be used for the curb returns at this site's access point. The details of the design must be included in the final engineering plans. South Kirkland Park and Ride 12-104625-LD, 12-104524-LO and 12-104621-LI Page 40 of 45

- Landings on sloping approaches are not to exceed a 7% slope for a distance of 30 feet approaching the back edge of sidewalks. Driveway grades must be designed to prevent vehicles from bottoming out due to abrupt changes in grade.
- Vehicle and pedestrian sight distance must be provided per BCC 14.60.240 and 14.60.241. Sight distance triangles must be shown at all driveway locations and must consider all fixed objects and mature landscape vegetation. Vertical as well as horizontal line of sight must be considered when checking for sight distance.

Authority: BCC 14.60.090, 110, 120, 150, 181, 200, 210, 240, 241;

Transportation Department Design Manual Sections 9, 12, 14, 19, 20; and Transportation Department Design Manual Standard Drawings DEV-2, DEV-3, DEV-7A, DEV-10, TE-4, TE-5, TE-7, TE-10, TE-11, TE-12, TE-21 and TE-34; Comprehensive Plan Policy

TR-40, TR-84

Reviewer: Abdy Farid, Transportation Department (425) 452-7698

3. Steep Slope Critical Area Mitigation Plan

The property owner or applicant shall prepare a mitigation plan for disturbance to the steep slope critical areas. The mitigation plan shall be submitted for review and approval by the City of Bellevue/Land Use prior to the issuance of the clearing & grading permit or building permit. The plan must be consistent with the City's Critical Areas Hand-book for steep slope critical areas and the arborist's report, prepared by Robert W. Williams and dated March 5, 2012. The plan must include prescribed maintenance activities to ensure plant survival and monitoring requirements (including reporting) to document success/failure. Refer to Conditions of Approval regarding performance standards and the maintenance and monitoring report below.

Reviewer:

T. Pratt, S. Nichols, Land Use

Authority:

LUC 20.25H.210

4. Pin Oaks – Tree Removal Compensation

The applicant will be required to compensate the City for the removal of six (6) Pin Oak trees that were planted by the City of Bellevue as part of a Capital Improvement Project (CIP). The appraised value of the trees is \$28,500, as submitted by the applicant in the arborist report prepared by Robert W. Williams and dated March 5, 2012. Compensation may be fulfilled by exercising one of the following options:

a. Direct payment to the City of Bellevue of \$28,500, or

b. Provision of \$28,500 of additional native plantings (includes labor and materials) on the slope to the east of the surface parking lot. This work shall be above and beyond any mitigation work required for the disturbance of the steep slope critical area due to the construction of the garage. Design for the work in this area and a cost estimate of the labor and materials for installation shall be submitted prior to issuance of the clearing and grading permit. Permission for this work is included under this Critical Areas Land Use Permit.

Reviewer:

Toni Pratt and Sally Nichols

Authority:

LUC 20.25H.210

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Pesticides, Insecticides and Fertilizers

The applicant must submit as part of the required clearing & grading permit information regarding the use of pesticides, insecticides, and fertilizers in accordance with the City of Bellevue's "Environmental Best Management Practices."

Reviewer:

T. Pratt, S. Nichols, Land Use

Authority:

BCC 23.76.100

6. Final Landscape Plan

A Final Landscape Plan shall be submitted with the Building Permit application for review by Land Use and the Parks Department. Provide details for specific tree species and any electrical outlets that are proposed to be located within the planting strips. Cupresso-cyparis leylandii/Leyland Cypress shall not be used on the slopes.

Reviewer:

T. Pratt, S. Nichols, Land Use

Authority:

LUC 20.20.520.1

7. Native Growth Protection Easement (NGPE)

The east and south slopes have been evaluated by Earth Solutions NW, LLC and found to qualify as steep slopes (40%). The applicant shall protect these slopes by placing them within a Native Growth Protection Easement prior to issuance of the clearing and grading permit. This buffer area shall be shown on the civil, landscape and architectural drawings as a Native Growth Protection Easement (NGPE).

Reviewer: Toni Pratt and Sally Nichols

Authority: LUC 20.25H.230

C. PRIOR TO BUILDING PERMIT (BP): The following conditions are required by City Code. Unless specified otherwise below, these conditions must be complied with on plans submitted with the Building Permit application:

Exterior Lighting

In order to mitigate potential impacts to nearby neighborhoods and the proposed mixed-use development, the light sources shall be incorporated into the parking garage design so as not to provide light and glare and spillover. Lighting fixtures shall incorporate cutoff shields to minimize off-site impacts. Rooftop parking area lights shall have cutoff shields.

Reviewer: Authority:

T. Pratt, S. Nichols, Land Use Land Use Code 20.20.522

Refuse and Recycling Collection Facilities Required

If the applicant determines that a collection and storage facility for refuse and recyclable materials will be required, the location and design shall be submitted to Land Use for review and the location shall be shown on building and site plan drawings. No refuse or recycling may be collected off a public street.

Reviewer: Authority:

T. Pratt, S. Nichols, Land Use Land Use Code 20.20.750

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3. Interim Parking Arrangements

During the construction phase of this proposal, the applicant will temporarily lose 278 surface parking stalls during Phase IIB. To compensate for this loss during construction, the applicant shall secure off-site parking stalls at nearby locations. The applicant shall enter into temporary parking arrangements with identified entities to ensure an adequate amount of parking stalls are available to the public while construction occurs.

Reviewer: Toni Pratt and Sally Nichols Authority: Land Use Code 20.20.590.2

4. Project Phasing

This proposal contains different phases of construction activities. The owner shall be required to work with the selected contractor to determine how construction patterns and staging will take place on the site. The owner and contractor must also address how occupants will be protected as demolition and construction activities take place from one area to another. Construction work areas and staging areas must be isolated from occupied areas of the site and from egress routes leading from those occupied areas to the public way. To address these issues, the owner and selected contractor are required to submit a phasing plan for review and approval by the City before each phase change in construction that effects fire access or occupants ingress/egress. This information should be part of the bid package to inform the selected of the phasing responsibilities and occupant protection issues. Additionally, phased construction and simultaneous occupancy of adjacent areas must be APPROVED by the City of Bellevue BEFORE such conditions can be permitted. A fire/life safety plan shall be submitted for the project immediately upon notice of award of contract (IBC/IFC).

Reviewer: Mark Chang, Building and Travis Ripley, Fire Authority: 2009 IBC Section 110.1 and Chapter 33

5. Agreement Regarding Conditions of Approval

The applicant and King County Metro shall sign an agreement related to future operations of the SKPR 108th NE driveway. The agreement will discuss items such as limitation of new signalized intersection to the one at 108th NE/ NE 38th Place, modification of internal circulation if necessary, and possible vehicular movement restrictions at the SKPR driveway

AUTHORITY: BCC 14.60.060

Reviewer: Abdy Farid, Transportation Department, (425) 452-7698

6. Building and Site Plans - Transportation

The building grade and elevations shall be consistent with the curb and sidewalk grade shown in the approved civil engineering plans. During construction, city inspectors may require additional survey work at any time in order to confirm proper elevations. Building plans, landscaping plans, and architectural site plans must accommodate on-site traffic markings and signs and driveway design as specified in the engineering plans. Building plans, landscaping plans, and architectural site plans must comply with vehicle and pedestrian sight distance requirements, as shown on the engineering plans.

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AUTHORITY: BCC 14.60.060, 110, 120, 150, 180, 181, 190, 240, 241 Reviewer: Abdy Farid, Transportation Department, (425) 452-7698

7. Existing Easements

There are some utility easements contained on this site which are affected by this development. Any negative impact that this development has on those easements must be mitigated or easements relinquished.

AUTHORITY: BCC 14.60.100

Reviewer: Tim Stever, Transportation Department, (425) 452-4294

8. Easements for Signal Control and Street Light Boxes and Vaults

The applicant shall provide easements to the City for location of traffic signal and street light facilities such as above-grade boxes and below-grade vaults between the building and sidewalk within the landscape area.

AUTHORITY: BCC 14.60.100

Reviewer: Abdy Farid, Transportation Department, (425) 452-7698

9. Pedestrian Easements

The applicant shall provide sidewalk and utility easements to the City such that sidewalks outside of the City right of way along the property frontage are located within a pedestrian easement area.

AUTHORITY: BCC 14.60.100

Reviewer: Abdy Farid, Transportation Department, (425) 452-7698

E. PRIOR TO ISSUANCE OF ANY CERTIFICATE OF OCCUPANCY (CO)

Sign Permit Package

The applicant shall submit a complete sign design package for City review and approval prior to the issuance of any occupancy permits for the building. All signs shall be an integral part of the architectural design and signs at or near the street shall be scaled to the pedestrian environment.

Reviewer: T. Pratt, S. Nichols, Land Use

Authority: LUC 20.25A.110.B.7.a-c, BCC 22B.10 (Sign Code)

2. Individual Sign Permits

Design review of individual signs and compliance will occur through review of each sign permit application. The sign review package plans, elevations, and/or sketches shall include, but are not limited to:

- Location
- Illumination
- Color and Materials
- Design including integration with overall building design

Reviewer: T. Pratt, S. Nichols, Land Use Authority: LUC 20.30F, BCC 22B.10.025.B.4

3. Maintenance - Landscape in the Right-of-Way

All planting areas within the entire City of Bellevue right-of-way along 108th Avenue NE, including all proposed plant material and irrigation, shall be installed and maintained by the applicant.

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Authority:

LUC 20.25A.060.B

Reviewer:

Tom Kuykendall, Parks Department T. Pratt, S. Nichols, Land Use

4. Performance Standards

For any mitigation work performed on the critical area slopes, performance standards must be met throughout the project, beginning at the end of year one (1) and concluding by the end of year five (5). Annual monitoring reports are required as identified in Condition 5 below. The following standards **must be met** and include the following:

A. Survival Rate: 100 percent at the end of Year 1 and 80 percent survival at the end of Year 5.

B. Percent Cover: 80 percent by the end of Year 5.

Reviewer: T. Pratt, S. Nichols, Land Use Authority: Land Use Code 20.25H.220

5. Maintenance and Monitoring Report

Monitoring is to begin one year following the installation sign off and will continue each year for a five-year period. Monitoring will be conducted in the spring (May) and a written Maintenance and Monitoring Report must be submitted annually by the last day of the year to Land Use for each of the five years. The Report shall include the size and location of each monitoring plot on a map, identification of the sampling methodology to be used for monitoring, an outline of the performance goals for that year, an assessment of growing season success and how the performance standards outlined in Condition 4. above were met, and identification of any maintenance measures in addition those outlined in the submitted Maintenance Work Scope that will be required to achieve performance success. These annual reports shall be submitted to the Development Services Department, Land Use Division, c/o Toni Pratt or Sally Nichols, Land Use Planners. They may be submitted electronically or through the mail.

Reviewer: T. Pratt, S. Nichols, Land Use Authority: Land Use Code 20.30P.140

6. Street Frontage Improvements

All street frontage improvements and other required transportation elements, including street light and traffic signal installation, must be constructed by the applicant and accepted by the City Inspector. All existing street light and traffic signal apparatus affected by this development, including traffic controllers, pedestrian signal poles, traffic signal poles, and power sources, must be relocated as necessary. Existing overhead lines must be relocated underground. All required improvements must be constructed as per the approved plans or as per direction of the Transportation Department inspector. Bonding or other types of assurance devices will not be accepted in lieu of construction.

AUTHORITY: BCC 14.60; Comprehensive Plan Policy, TR-40, TR-84, S-NB-32, UT-39; Transportation Department Design Manual Sections 9, 12, 14, 19, 20; and Transportation Department Design Manual Standard Drawings DEV-2, DEV-7A, DEV-10, TE-4, TE-5, TE-7, TE-10, TE-11, TE-12, TE-21 and TE-34

South Kirkland Park and Ride 12-104625-LD, 12-104524-LO and 12-104621-LI Page 45 of 45

Reviewer: Abdy Farid, Transportation Department, (425) 452-7698

7. Pavement Restoration

Pavement restoration associated with street frontage improvements or to repair damaged street surfaces shall be provided as follows:

Near this project, 108th NE has been classified as "Standard Trench Restoration." However, 2-inch pavement grind and overlay at 108th NE/ NE 38th Place intersection may be required as part of the new traffic signal system installation. The extent of pavement restoration will be determined as part of the forthcoming traffic signal plans and specifications.

AUTHORITY: BCC 14.60. 250; Design Manual Design Standard #21 Reviewer: Abdy Farid and Tim Stever, Transportation Department, (425) 452-4294

Attachments:

A: Project Plans

B: Transportation Technical Agreements via email

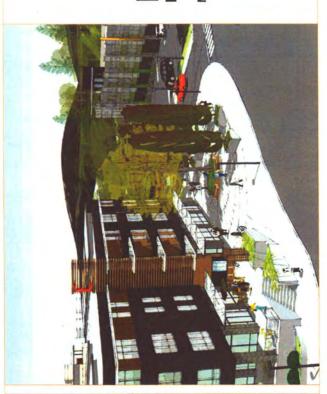
C: Phasing Plans

ATTACHMENT A (Project Plans)



KIRKLAND TOD Bellevue Land Use Review Response

MARCH 13, 2012





View from 108th Ave NE looking north approaching the Gateway Plaza



View from 108th Ave NE looking southwest approaching the Gateway Plaza



GATEWAY PLAZA

- Tower element incorporated into mixed-use building to mark the Gateway Plaza, provide signage, wayfinding, and to modulate the building massing.
- Decks added to tower element to improve building modulation.
- The pedestrian level at the plaza is more permeable, increasing views and access from the public sidewalks.
- Columnar trees added to both sides of the transit cooridor to better signify a gateway access.

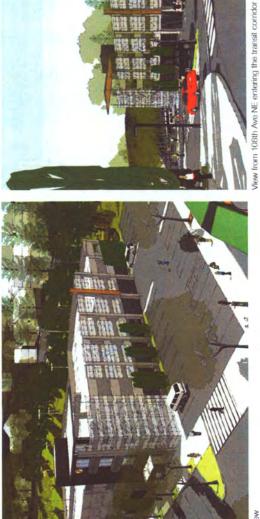
KIRKLAND TOD | GATEWAY PLAZA



Aerial View



View from 108th Ave NE entering the transit corridor



Aerial View

POLYGON NORTHWEST

KIRKLAND TOD | TRANSIT GARAGE OPTIONS

TRANSIT GARAGE:

- Sloped roof over stair tower with accent color soffit
- Vertical fin signage marking entrance to garage.
- Vertical concrete columns expressed by recessing lateral concrete structural guardralls.
- Board-form textured concrete at pedestrian level concrete infill walls.
- Monolithic perforated aluminum screen wrapping stair tower and western facade.

TRANSIT GARAGE: OPTION 2

- Sloped roof over stair tower with accent color soffit
- Vertical fin signage marking entrance to garage.
- Vertical concrete columns expressed by recessing lateral concrete structural guardrails.
- Board-form textured concrete at pedestrian level concrete infill walls.
- Horizontal perforated aluminum screen wrapping stair tower and western facade. Uses two densities of perforations to create additional modulation.



Aerial View



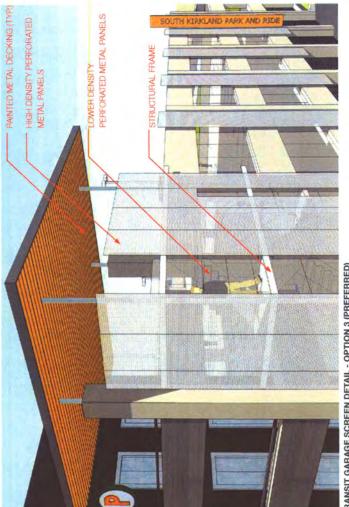
View from 108th Ave NE entering the transit corridor

TRANSIT GARAGE: OPTION 3 (PREFERRED)

- Sloped roof over stair tower with accent color soffit
- Vertical fin signage marking entrance to garage.
- Vertical concrete columns expressed by recessing lateral concrete structural guardrails
- Board-form textured concrete at pedestrian level concrete infill walls.
- Perforated aluminum panels mounted into garage bay openings at west facade with higher density perforated vertical panels mounted at the exterior. Perforated aluminum panels wrap the stair tower reflecting the proportions of the mixed-use building across the transit corridor. Uses two densities of perforations to create additional modulation.
- Expresses the structure of the garage while relating to the mixed-use building through color and proportion at vertical circulation tower.

POLYGON NORTHWEST

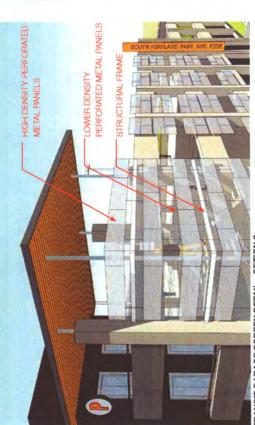
Pedestrian View



SINGLE DENSITY
PERFORATED METAL PANELS

1'-0" AIR GAP

TRANSIT GARAGE SCREEN DETAIL - OPTION 3 (PREFERRED)



TRANSIT GARAGE SCREEN DETAIL - OPTION 1

TRANSIT GARAGE SCREEN DETAIL - OPTION 2











KIRKLAND TOD | WEST ON 108TH - PHOTO SIMULATION



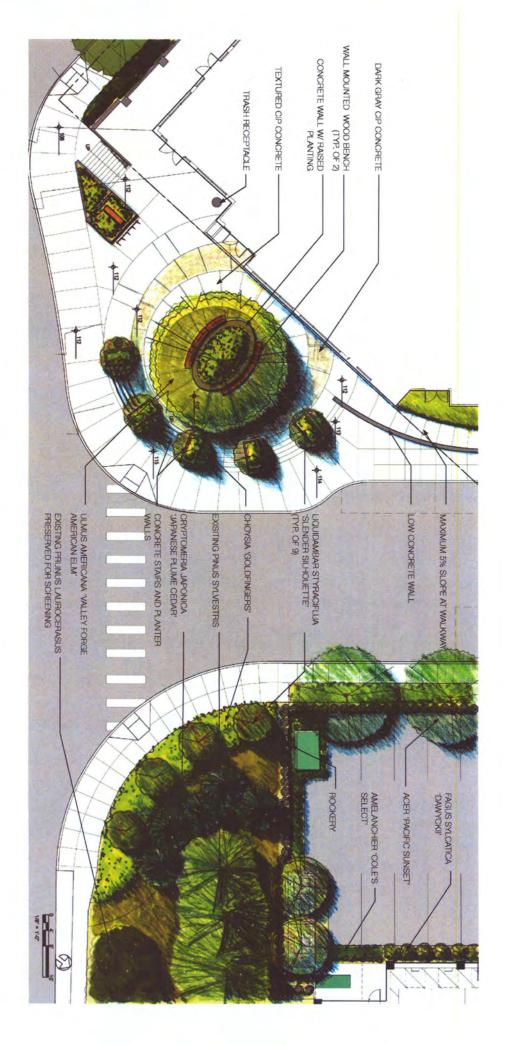










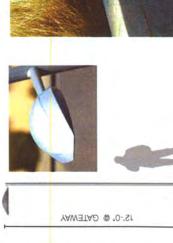


POLYGON NORTHWEST

KIRKLAND TOD | GATEWAY PLAZA PLAN DETAIL

PSON

GATEWAY PLAZA FURNISHINGS









Scored, Colored Concrete



Planter Mounted Wooden Bench

GATEWAY PLAZA TREES

Lumec Capella Series Pedestrian Lighting





Choysia Goldfinger

/alley Forge American Elm - Establishec

Valley Forge American Elm - Young

WEBER THOMPSON



Japanese Plume Cedar

Rosa Rugosa - Pavement Series

KIRKLAND TOD | GATEWAY PLAZA SITE DETAILS

TRANSIT AREA FURNISHINGS

TRANSIT AREA TREES







JJAM TISNAAT ® "0-'3f - "0-'Sf





Lumec Capella Series Pedestrian Lighting



ree Grate



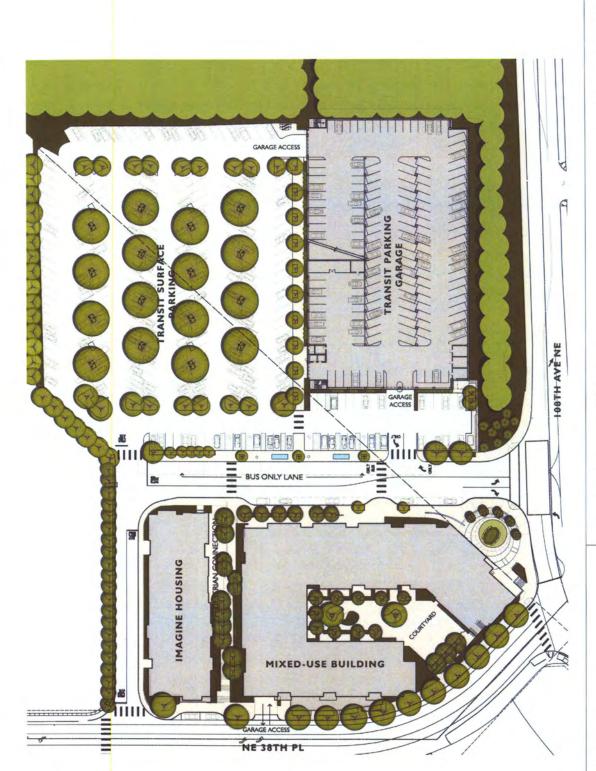




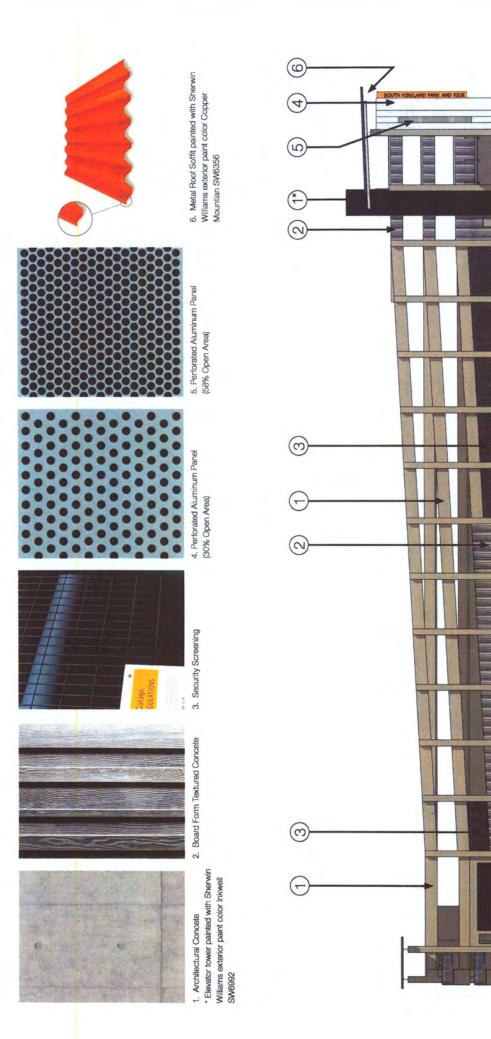
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WEBER THOMPSON

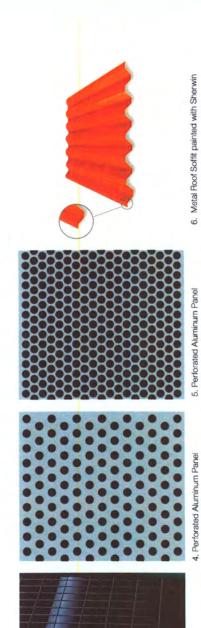
POLYGON NORTHWEST











Williams exterior paint color Copper Mountian SW6356

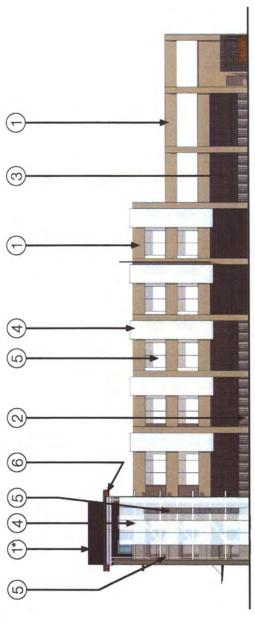
(58% Open Area)

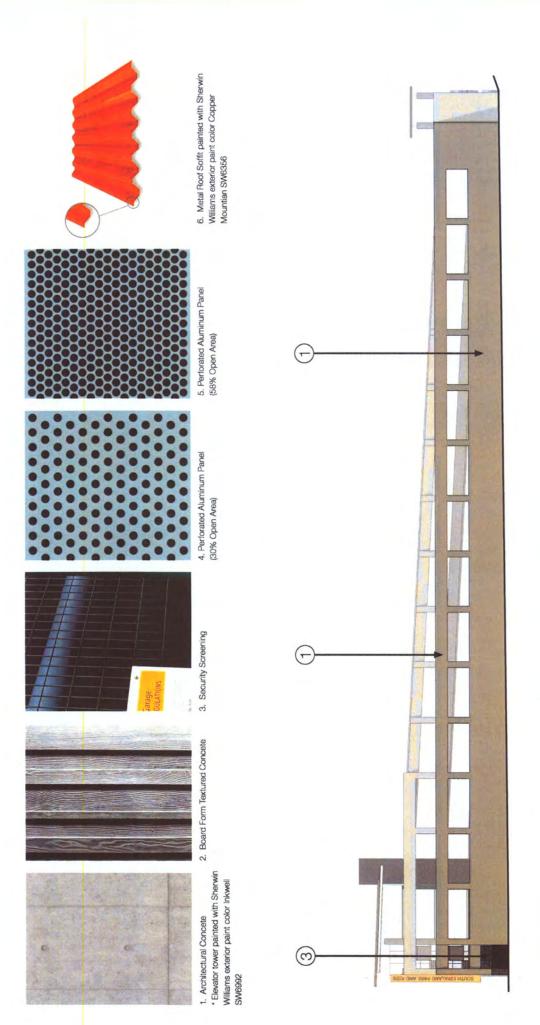
(30% Open Area)

3. Security Screening

2. Board Form Textured Concete

 Architectural Concete
 Elevator tower painted with Sherwin Williams exterior paint color Inkwell SW6992

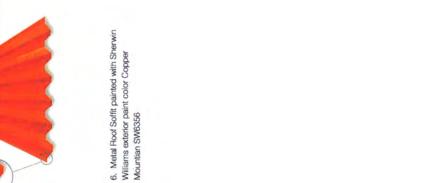






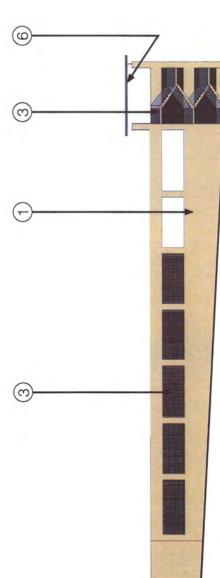




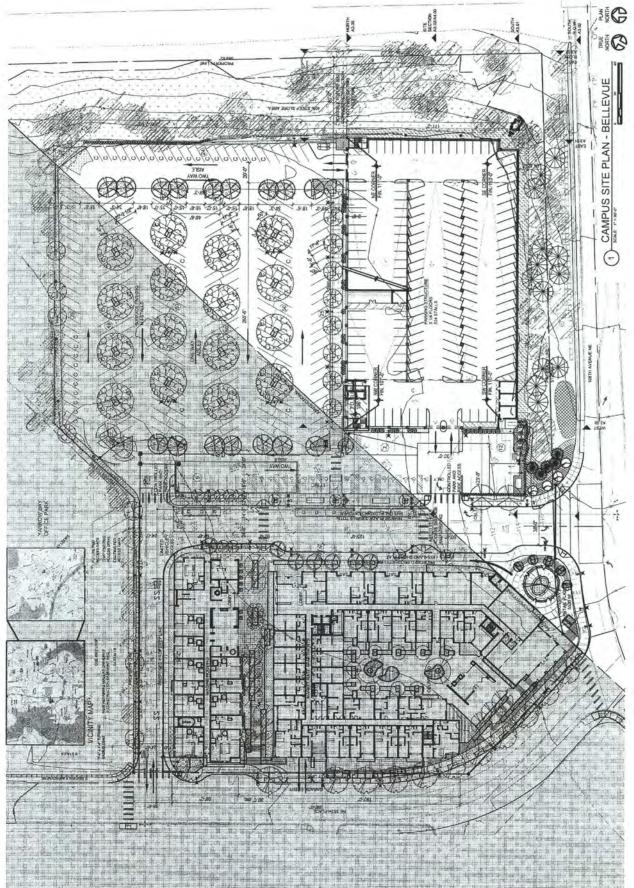


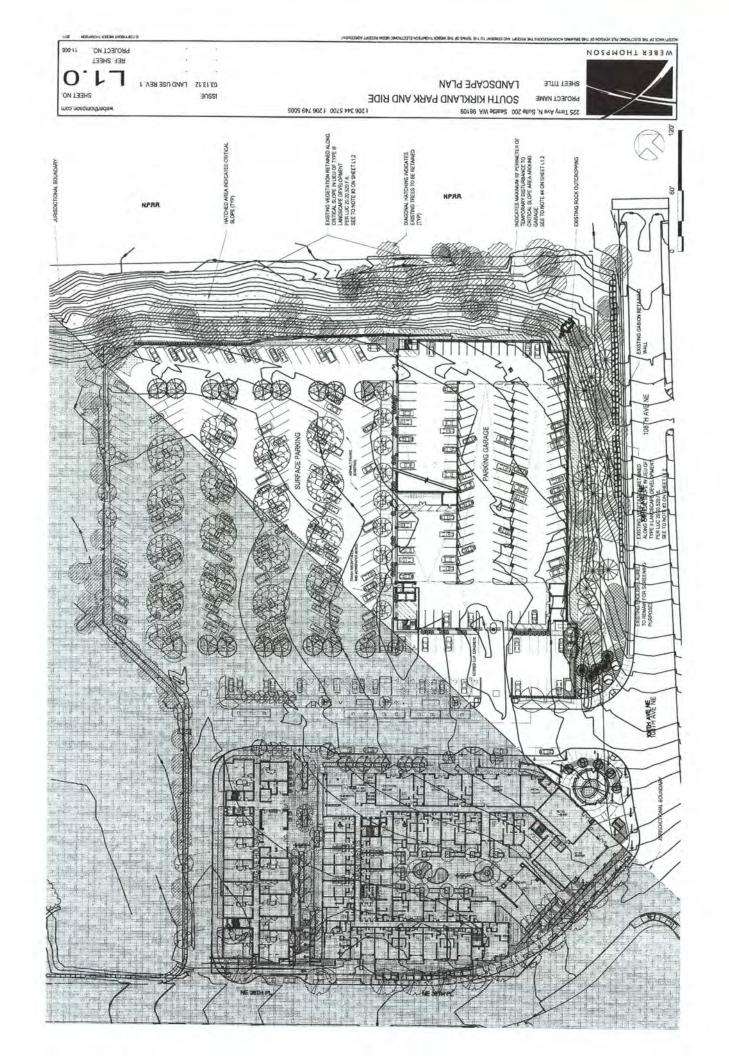






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LANDSCAPE PLAN DETAILS

SOUTH KIRKLAND PARK AND RIDE

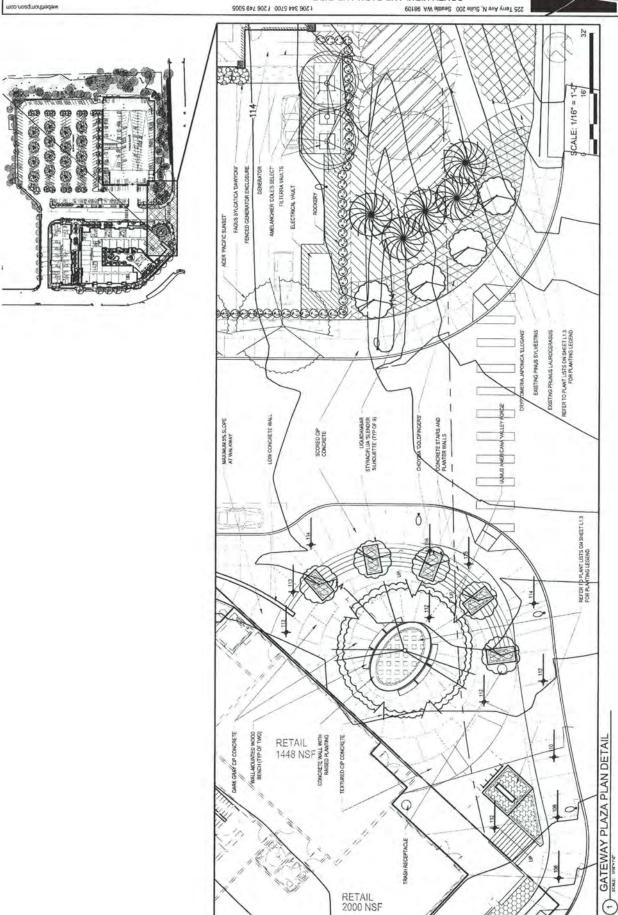
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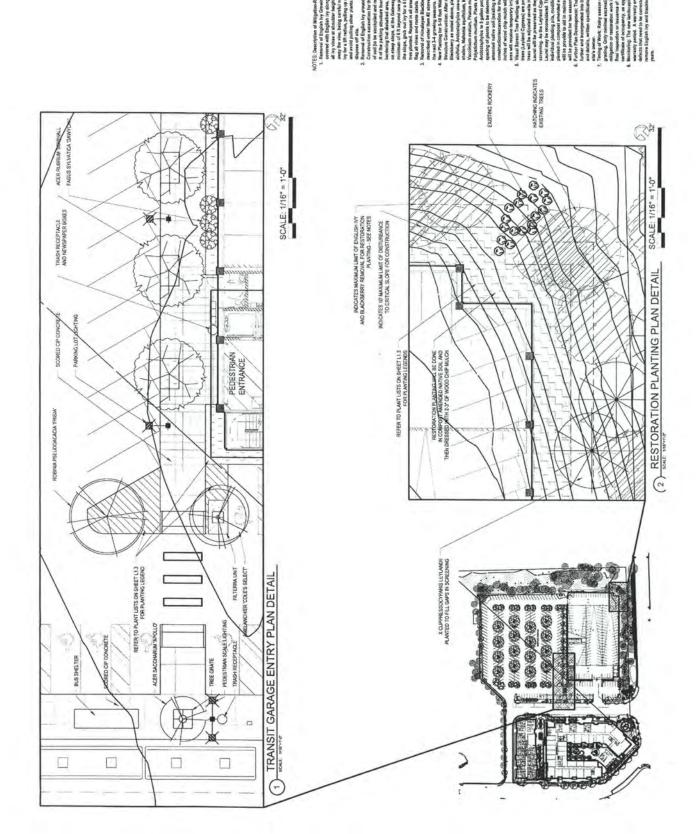
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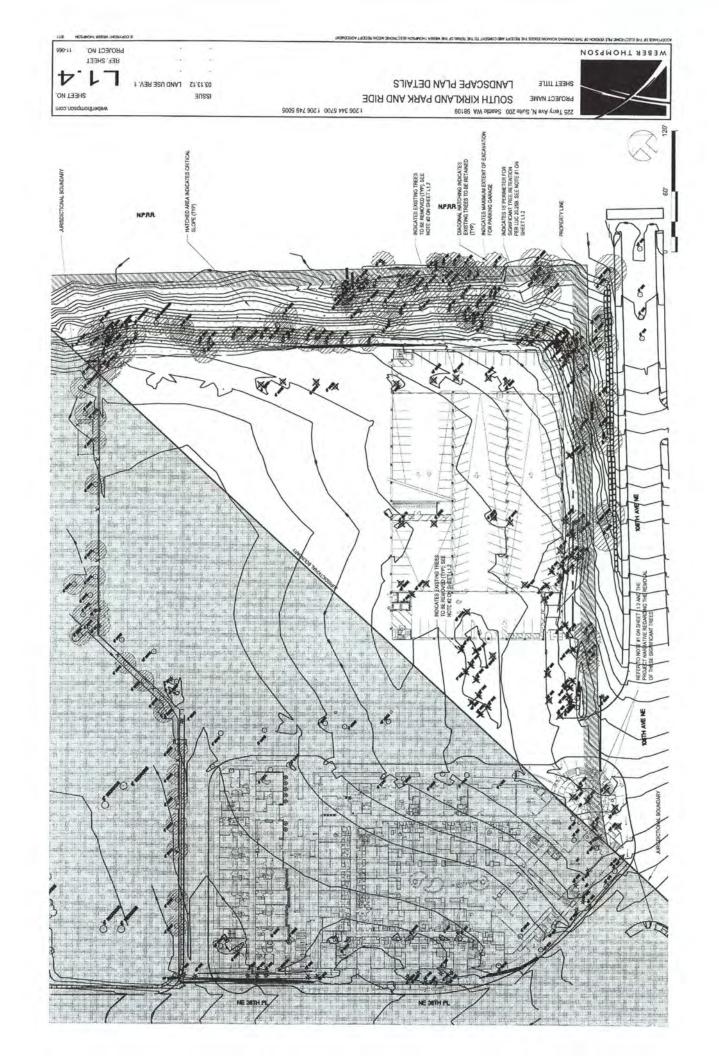
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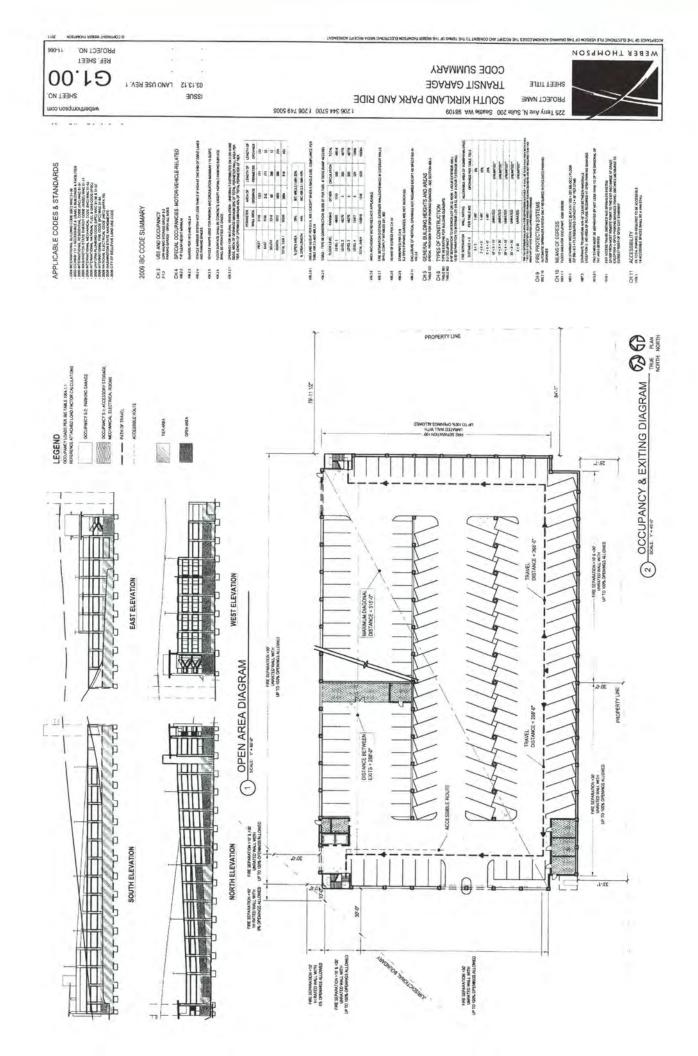
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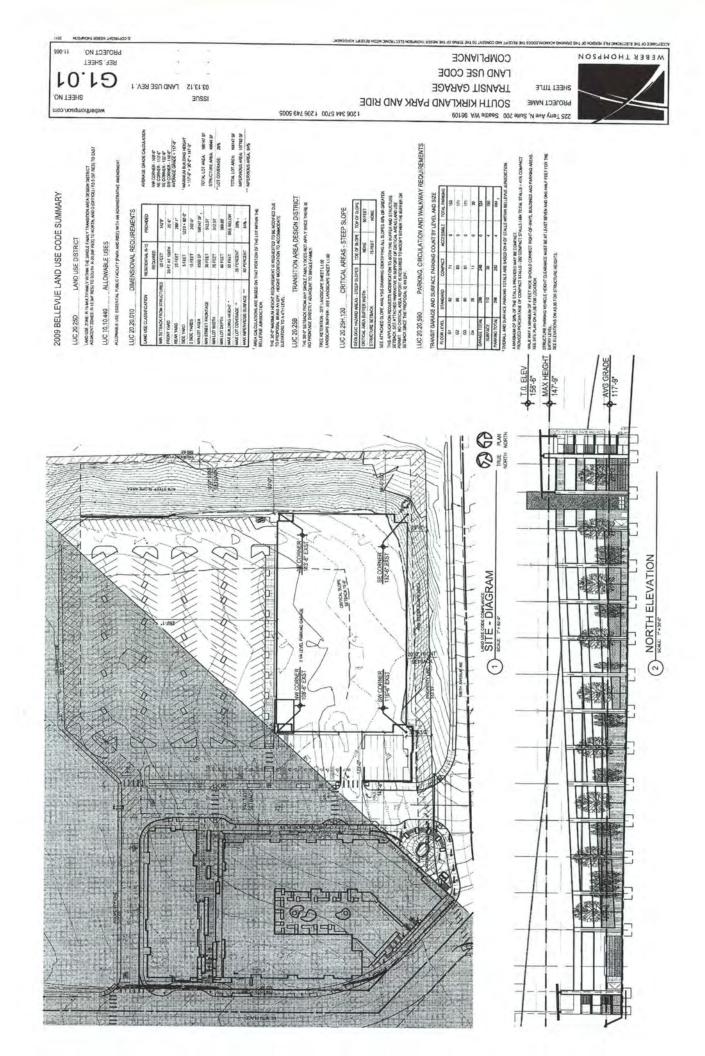
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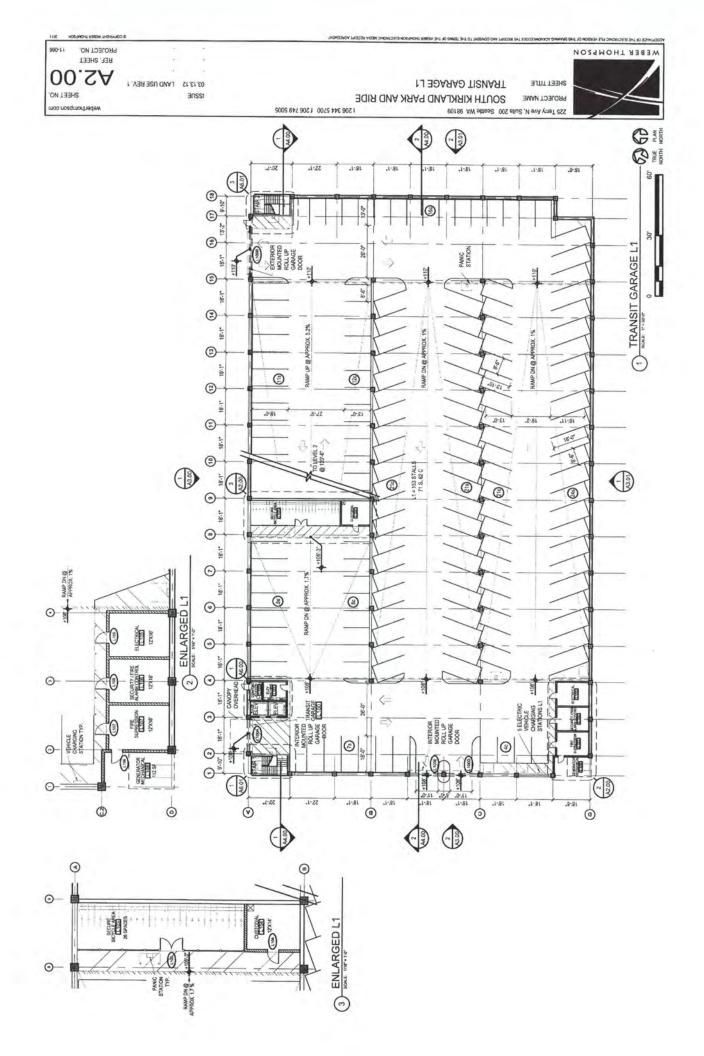
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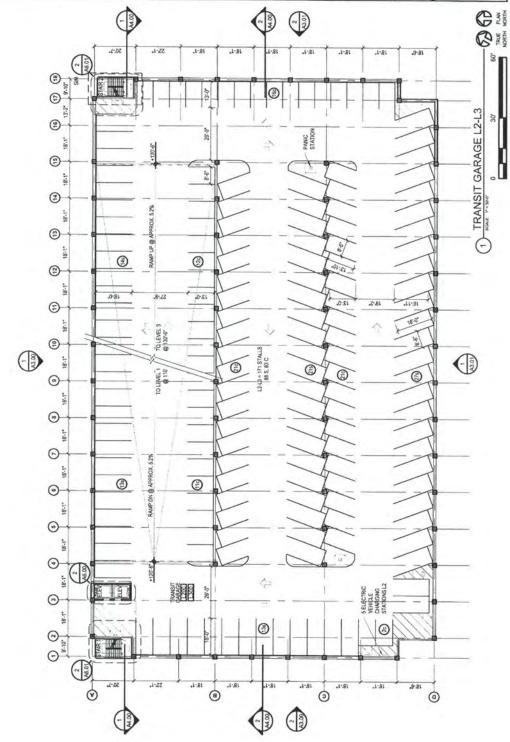
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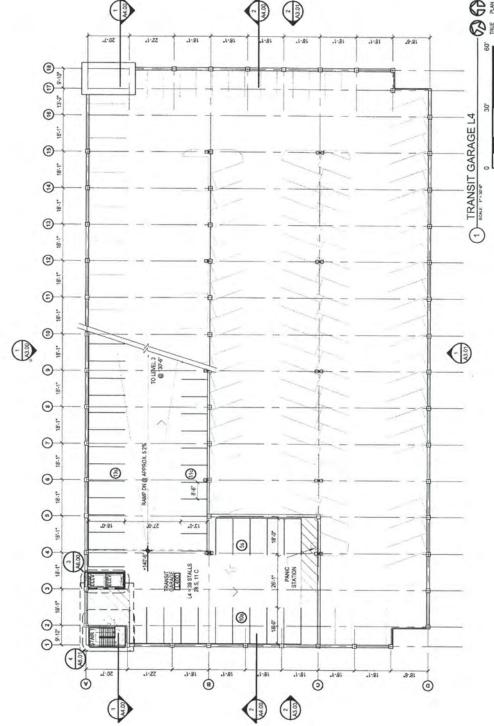












TRANSIT GARAGE

SOUTH KIRKLAND PARK AND RIDE

PROJECT NAME 225 Terry Ave N, Suite 200 Seattle WA 98109



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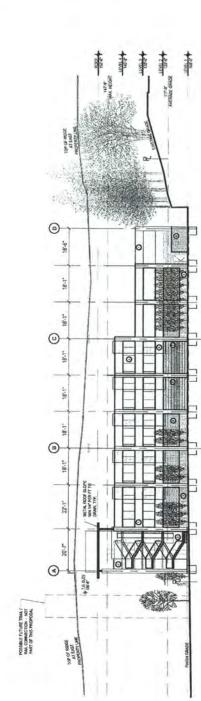
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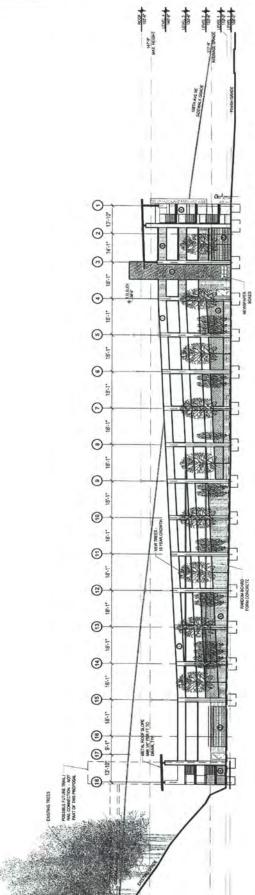
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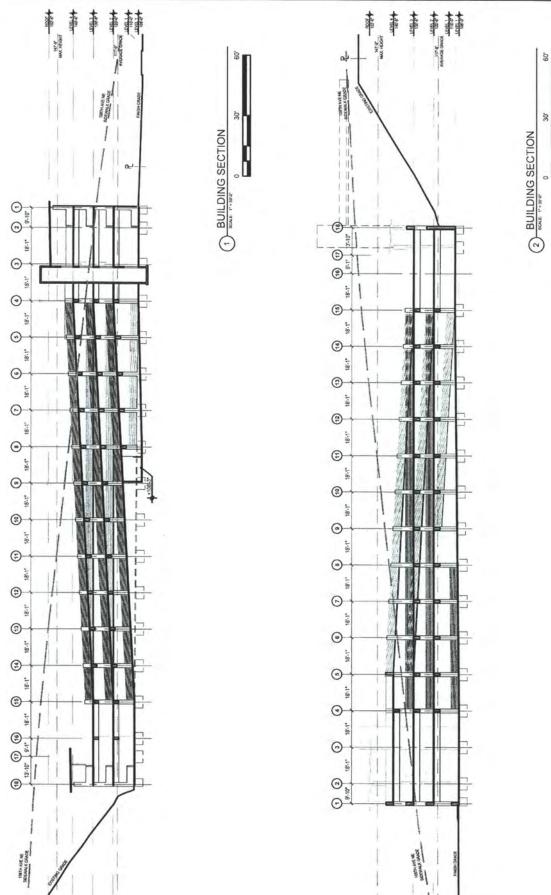
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ATTACHMENT B (Transportation Technical Agreement)

Pratt, Toni

From:

Farid, Abdy

Sent:

Monday, March 19, 2012 3:05 PM

To:

Pratt, Toni; Nichols, Sally P.

Cc:

Farid, Abdy

Subject:

FW: South Kirkland Park & Ride - Transportation Technical Agreements

Attachments:

S KirklandTOD SitePlan.pdf

It see that you were also copied on this. But in any case, please make sure that you include Paul Eng's e-mail and its attachment to the staff report.

I have referred to the entire e-mail/ attachment in my portion of the report.

From: Eng-PE, Paul [mailto:Paul.Eng-PE@kingcounty.gov]

Sent: Wednesday, February 15, 2012 5:23 PM

To: Nichols, Sally P.; Dreaney, Chris; Pratt, Toni; Farid, Abdy; Gromala, Laurie Cc: 'Holly Smith'; 'Mike Swenson'; Prince, Gary; 'tnguyen@ci.kirkland.wa.us' Subject: South Kirkland Park & Ride - Transportation Technical Agreements

Thank you again for taking the time to meet with us on February 14 on the traffic issues associated with the South Kirkland Park-and-Ride/TOD project.

The purpose of this email is to document the following agreements between City of Bellevue, King County Metro and Polygon. Please refer to the attached site plan for reference of locations.

- The T-intersection at NE 38th Place/108th Ave NE (Point "A") will be signalized, and no signal will 1. be permitted at the T-intersection at the park-and-ride access roadway/108th Ave NE (Point "B").
- A general purpose north-bound left-turn lane on 108th Ave NE into the P&R access roadway will 2. be allowed. A general purpose east-bound left-turn lane exiting from the P&R access roadway to 108th Ave NE will also be permitted. The area of the south-bound lane on 108th Ave NE in front of the P&R roadway (Point "B") should be striped/hatched and signed to prevent blocking of this Tintersection when the south-bound traffic is stopped at the red light at the 108th Ave NE/NE 38th Place (Point "A").
- Should the on-site queuing at the 108th P&R access impede the 108th Ave NE operations on a 3. regular basis in the future, Metro Transit will modify the P&R internal circulations to alleviate the T-intersection congestion. As the first mitigation measure, the left-only restriction at the exit lane of the parking area & garage (Point "C") located immediate south of the garage will be removed.

Consequently, the transit-only restriction will also be lifted from the stretch of roadway (Point "D") north of that exit lane and right turns from the parking exit lane (Point "C") will be permitted for general purpose traffic. If necessary, the second level of mitigation will involve closing that exit lane (Point "C") completely, and all vehicles exiting from the parking facilities will use the driveway (Point "E") north of the transit platform. City of Bellevue will issue the land use/construction permits with these mitigation measures as conditions of approval.

4. In the next round of plan submittal, Polygon will relocate the 108th Ave NE crosswalk to the south leg of the T-intersection of NE 38th Place (Point "A").

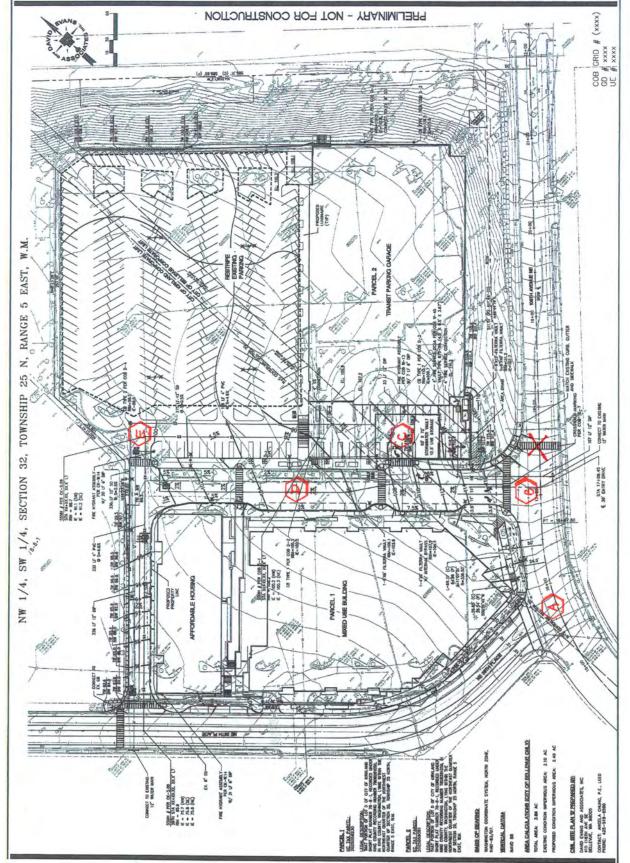
We appreciate again your efforts in providing a workable solution for our project. Please let me know if you have additional comments. Thank you again.

Paul Eng, PE PMP

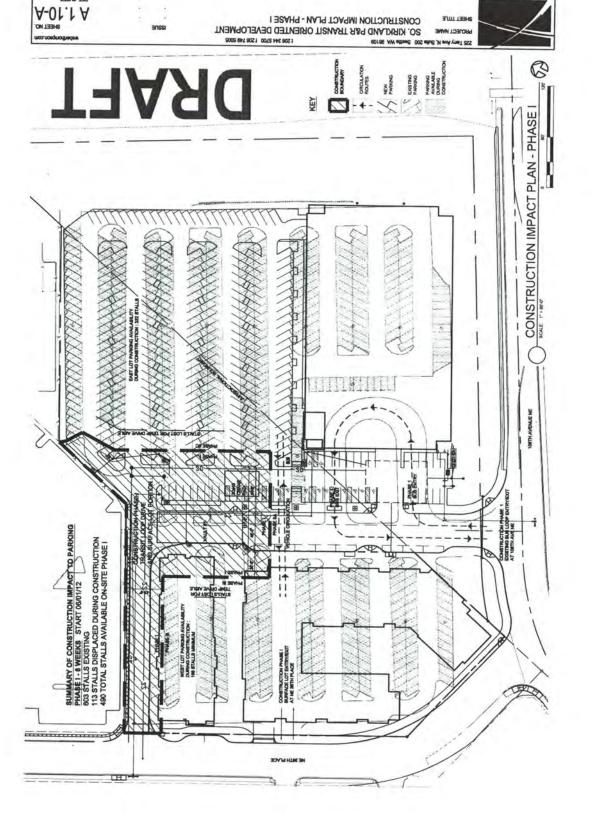
Supervising Engineer, Civil
Metro Transit Design & Construction
201 South Jackson Ave, KSC-TR-0433, Seattle, WA 98104
P (206) 684-1297; F: (206) 684-1379
Paul-PE, Eng@KingCounty, gov

CML SITE PLAN 'B' SOUTH KIRKLAND PARK & RIDE

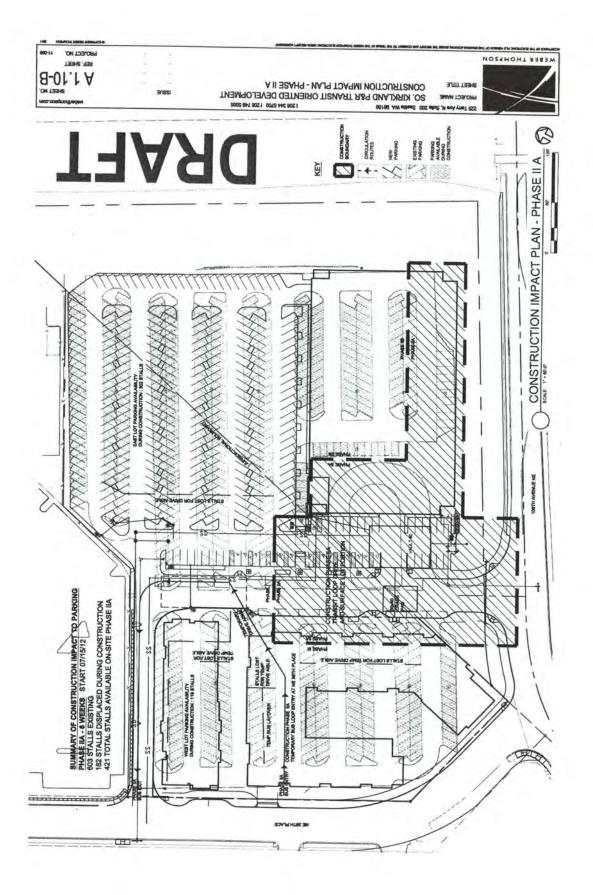


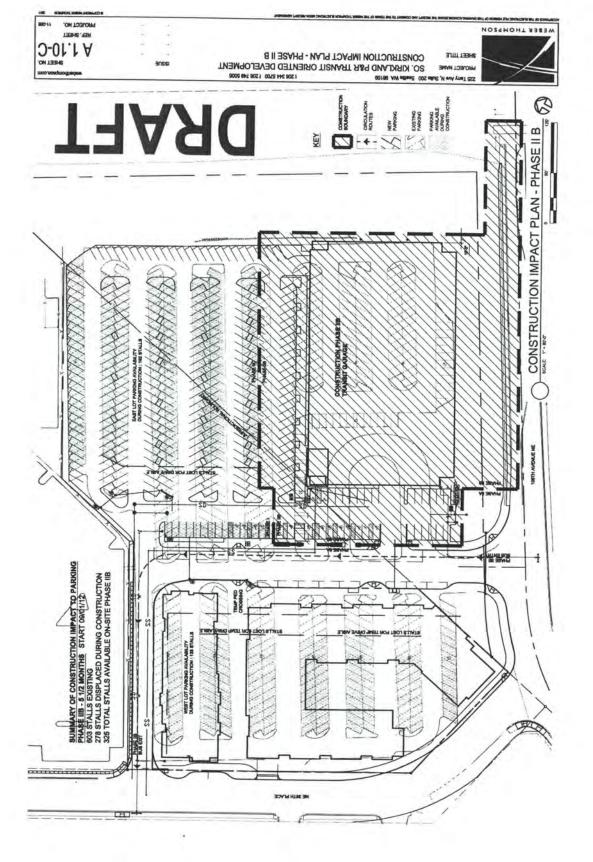


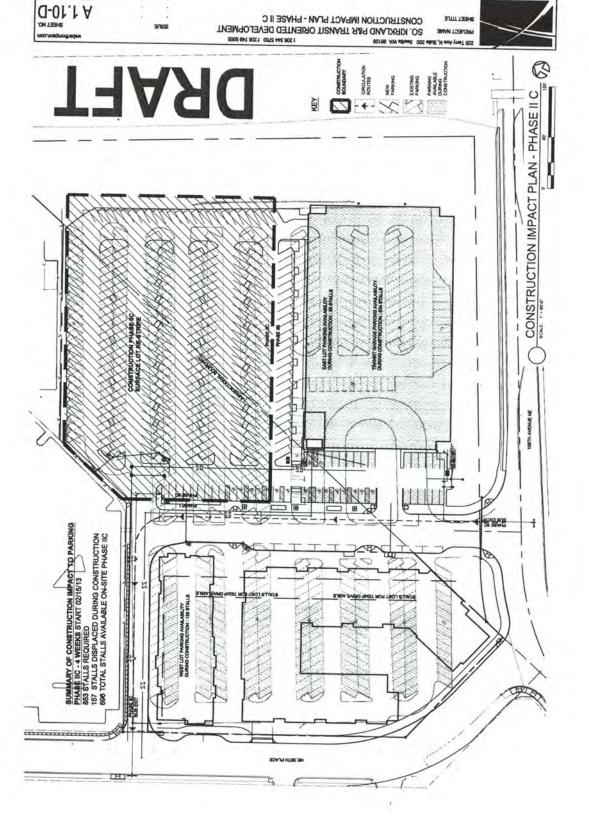
ATTACHMENT C (Phasing Plans)



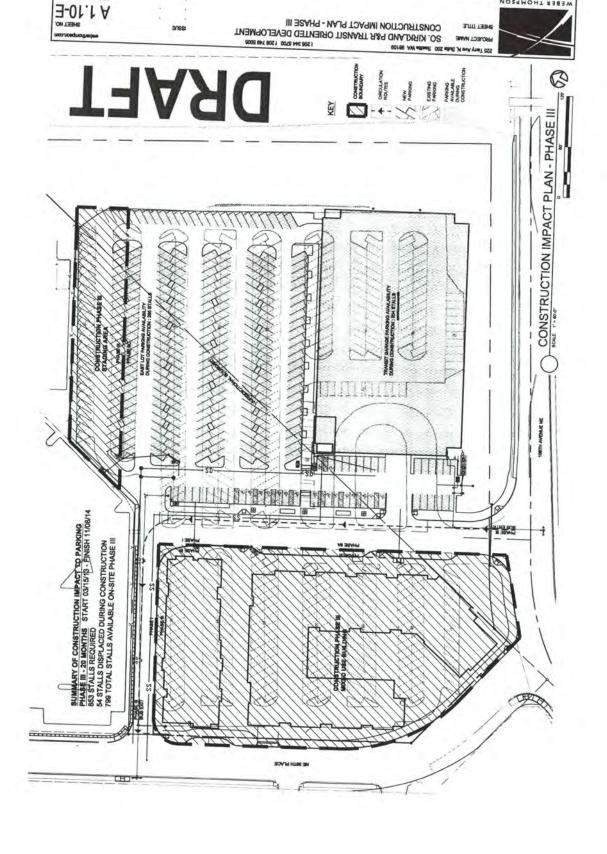
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